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FIRST THINGS

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John Green, Lyman Kellstedt, James Guth & Corwin Smidt

China's Christian History
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That They May Have Life
A Statement

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Yes: Maggie Gallagher
No: Barbara Dafoe Whitehead

Suicide Is Not a Private Choice
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Also: In the Beauty of Holiness · James Nuechterlein · Lawrence M. Mead · William J. Levada · Ian A. Hunter · Frederica Mathewes-Green · J. Bottum · Hadley Arkes · Ramesh Ponnuru · Gary Rosen · Christopher Shannon

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Richard John Neuhaus
The Public Square
A Continuing Survey of Religion and Public Life

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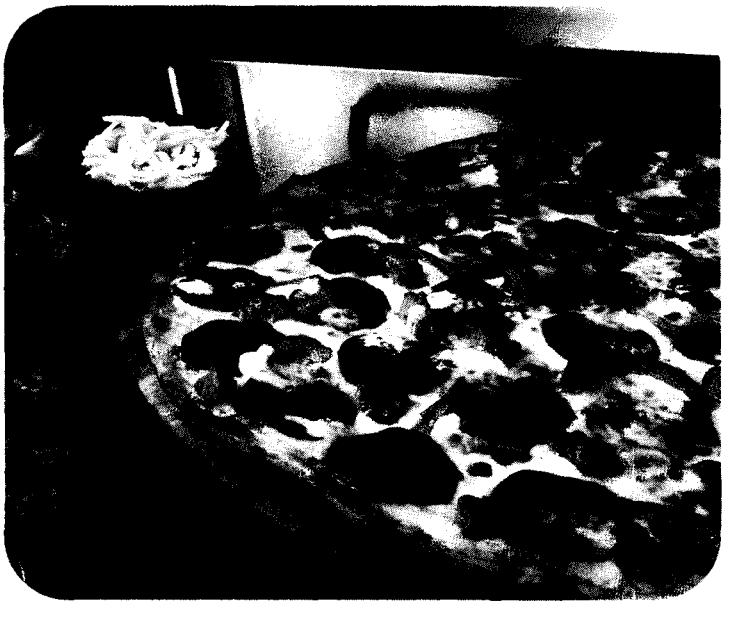

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Favoritism vs. Nondiscrimination?

In the April issue of First Things ("God and Bigotry at Yale," Public Square), Richard John Neuhaus criticizes the Yale Law School's decision not to exempt the Christian Legal Society (CLS) from the School's general policy that all employers wishing to participate in the School's on-campus interviewing process must sign a form stating that they do not discriminate on the basis of (among other things) religious belief.

Let me say at the start that I regard the question as a difficult and close one, and that I appreciate the good will with which Gregory Baylor, the assistant director of CLS, has pressed his case, despite our ultimate disagreement.

Mr. Baylor and I agree on two propositions. First, the Yale Law School is a secular institution whose own internal life is governed by a principle of religious nondiscrimination. The School does not hire faculty or admit students or distribute resources on the basis of religious belief. It would offend this principle, for example, if a faculty member advertising for a student teaching assistant stated that only Catholics (or Jews or Lutherans or Muslims) need apply. Similarly, it would offend the School's principle of nondiscrimination if the Registrar were to announce that henceforth summer financial support was to be awarded only to students of certain religious faiths.

Second, CLS is a religious organization whose internal life is governed by a principle of religious favoritism. Nothing could be more obvious or less objectionable, and it would be as presumptuous for a secular organization, like the Yale Law School, to suggest that CLS should govern its own affairs by a principle of nondiscrimination as it would be for CLS to suggest that the internal life of the Yale Law School should be restructured so that adherents of one faith might be favored over those of any other.

The difficulty in this case arises because the Law School's on-campus interviewing process straddles the line between its internal life (which the School is free to arrange as it chooses) and the life of other organizations—of the employers participating in the process—whose governing norms the School has no power, or desire, to challenge. If CLS makes arrangements on its own to interview our students, its dealings with them fall outside the boundaries of the School's institutional life and are not subject to the School's policy of nondiscrimination. But the Law School's on-campus interviewing process is administered and subsidized by the School itself, and to that extent the special opportunities this process affords our students are opportunities the School provides. They are opportunities that arise within the orbit of the School's own life, in the same way that opportunities to compete for teaching assistantships and summer financial support do, and it would therefore be as real a breach of the School's internal ethic of nondiscrimination to permit religious favoritism in the distribution of these opportunities as it would be to permit it in the distribution of any other benefits the School provides.

I recognize that requiring CLS to honor the Yale Law School's policy of religious nondiscrimination imposes a cost on CLS by making it more difficult for CLS to recruit our students. But exempting CLS from our policy would constitute a moral interference in the internal life of the Yale Law School, and that is a very real cost as well. I do not see a solution that will be costless to both institutions, and that of course is why the problem is so difficult. In the end, I must prefer the internal regulative norms of the institution I have pledged to protect, just as Mr. Baylor must prefer the internal norms of the institution he represents. This leaves us in disagreement, but I would hope that we can at least recognize and respect the moral imperatives to which each of us owes his allegiance.

Mr. Neuhaus' essay makes a complex question appear overly simple,

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and invites readers to take sides rather than continue a conversation. I prefer to continue the conversation, which I believe a spirit of genuine civility requires.

In that conversation, there are many further questions that might be asked. Let me close by asking one: What must CLS be committed to before Mr. Baylor can say, in good faith, that his organization does not discriminate in the sense the Yale Law School's policy forbids? Would it be enough to say, for example, that CLS is willing to interview students of all faiths, though it thinks it unlikely that any but professing Christians will be hired? A private law firm that states it will interview students of all races, but says it is unlikely that any black students will be hired, would not meet the Law School's requirement of nondiscrimination. By contrast, if an organization devoted to the protection of religious freedom were to say that it was prepared to interview all students, the devout as well as nonbelievers, but thought it unlikely that any but those committed to the cause would be hired, it is my own view that this would not constitute discrimination of the kind the Law School's policy forbids.

Which of these last two cases does the first one most resemble? Perhaps this question can be the basis for a further conversation.

Anthony T. Kronman, Dean
Yale Law School

Father Neuhaus replies:

On the contrary, Dean Kronman's letter makes a simple question appear very complex. As I pointed out in "God and Bigotry at Yale," the problem with YLS's "principle of religious nondiscrimination" is that it discriminates against religious organizations in its interviewing process. It also discriminates against its own students who may want to interview with a group such as CLS. That double discrimination results from Dean Kronman's failure to see that his idea of a "secular institution" is anything but neutral. Dean Kronman says, in effect, to CLS: We have our belief system and you have your belief system and we're Yale Law School and you're not, so that's that. He calls for "further conversation" in "a spirit of genuine civility" while simultaneously declaring an "ultimate disagreement." Since he has arrived at his conclusion, it is not clear what further conversation would be about.

"This leaves us in disagreement," he writes, "but I would hope that we can at least recognize and respect the moral imperatives to which each of us owes his allegiance." One can recognize what Dean Kronman takes to be a moral imperative to discriminate against religious persons and institutions, but one cannot respect it. And he obviously does not respect the moral imperatives to which CLS owes allegiance. Although apparently unaware of the insult, he says that CLS "is governed by a principle of religious favoritism." Fulfilling one's duty to God is not a matter of preference and recruiting others to that cause is not an exercise in "religious favoritism." Even more egregiously, Dean Kronman introduces the example of a law firm that discriminates on the basis of race. Apparently Dean Kronman fails to appreciate that the comparison of religion with racism puts a severe strain on "a spirit of genuine civility." It is to be feared that Dean Kronman has little understanding of, never mind respect for, the nature of religious commitment. He might consult his YLS colleague Stephen Carter who has written insightfully about the "trivialization" of religion. (I confess that I am puzzled by the silence of Mr. Carter to date, although he has been asked to address the problem of the exclusion of CLS.)

Dean Kronman's references to distributing financial support and other benefits on the basis of religious faith is an embarrassingly obvious red herring. Nobody is proposing that; it has nothing to do with the present discussion; and, were it proposed, it would surely be opposed by almost everyone, including, I have no doubt, CLS. The question at hand is whether CLS and students who might want to interview with CLS should be granted the same access that is accorded others.

Dean Kronman talks about "interference" with the internal life of YLS. This, I am afraid, is entirely disingenuous. There is no symmetry whatever between the position of CLS and that of YLS. The former cannot in any way "interfere" with the law school. The decision not to discriminate against CLS and other religious organizations lies entirely with YLS. In its antidiscrimination laws, the U.S. Government regularly grants exemptions for religious institutions. Does Dean Kronman think this means religious institutions are "interfering" with the Government? Of course not. The Government, for very good reasons having to do with the distinctive nature of religion, decides to make an exception. Harvard Law School permits CLS to interview on campus. Does Dean Kronman think Harvard is guilty of practicing "religious favoritism"? Harvard has decided not to discriminate against religious institutions. Yale has decided, in the name of nondiscrimination, to discriminate against religious institutions.

Dean Kronman is wrong in suggesting that the problem is that YLS and CLS are equal parties operating by incompatible principles. Between the two, there is no equality of power or moral responsibility. CLS cannot and does not discriminate against Yale. If Yale decides to permit its students to interview with CLS in the same way that they can interview with other organizations, that is no compromise whatever of the ability of YLS to govern its internal life. It would simply mean that YLS, along with federal and state governments, other law schools, and most corporations, recognizes that decency, common sense, and justice preclude discrimination on the basis of religion. Only religious institutions may and must discriminate on the basis of religious commitment. As, mutatis mutandis, law schools may and must discriminate on the basis of commitment to law.

In other words, and contra Dean Kronman's main argument, the problem is not created by the different purposes of YLS and CLS. They are very different institutions, but

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CLS has no complaint against YLS being what it is, except that YLS excludes it from the interviewing process. YLS does have a complaint against CLS, namely, that it is a religious institution. Yale will be no less self-governing if it decides to grant a religious exemption from its rules. Indeed, making such decisions is precisely the meaning of self-government. No decision at all is required on the part of CLS. It clearly wants to interview students at YLS. The question is whether it will be permitted to do so. The decision is Yale's and Yale's alone.

Finally, the last case proposed at the end of Dean Kronman's letter should not go unremarked. Readers will want to judge for themselves, but as best I can make it out Dean Kronman is inviting CLS, as the price of admission to the interview process, to dissemble about its hiring practices. It is a troubling invitation coming from a law school dean who has written extensively about the ethical state of the professions. Troubling also is the implication that the protection of religious freedom is a partisan cause not shared by nonbelievers. Whatever YLS may decide about not discriminating against religious institutions, it does seem that further conversation is in order.

Well Worth an Argument

In the April issue of First Things ("Religion Within the Limits of Morality Alone," Public Square), Richard John Neuhaus says that my article "Writing History in a World Without Ends" (*Pro Ecclesia*, Fall 1996) is "well worth an argument." In setting forth his part of the argument, Father Neuhaus contends that my comments on the U.S. Catholic bishops' neutrality as regards slavery in the antebellum era "egregiously and . . . smugly imposes contemporary moral criteria upon the past." This imposition, he says, is driven by an ecclesiology that is limited by morality, to the neglect of several other dimensions of Church life, such as "revealed truth, dogma, ordered ministry, sacramental bonds, and diverse traditions of discipleship." Calling for "a doctrine of the Church that rests on more than the one pillar of ethics," Neuhaus admonishes me by noting that "the Church is constituted more by mystery than by morality."

The crux of the problem, he goes on to argue (drawing on a critique of feminist theology by R. R. Reno that appeared in the same issue of *Pro Ecclesia* as my article), is that I am captured by a modern, post-Kantian paradigm that puts forth an "ecclesiology within the limits of morality alone." After conceding that "philosophically and theologically" I am "light years away from Kant," Neuhaus still finds enough problems in my article to warrant this indictment: "Baxter, like Elizabeth Johnson and Rosemary Radford Ruether, is a child of Kant, a modern theologian who critiques the entirety of the tradition by a criterion of his own choosing."

Neuhaus' critique is also "well worth an argument," so for the sake of argument, I offer the following three responses.

First, my article is directed primarily not at the antebellum Catholic bishops and their neutrality on slavery, but rather at John Tracy Ellis' account of their neutrality, an account that was first set forth in 1955 and then revised in 1969. Although this would still qualify as an instance of imposing moral standards upon the past, it is a past that is rather recent; so recent a past, indeed, that it weighs very heavily on the present, for, as I show in my article, Ellis' narrative, and the faith/politics autonomy that controls it, still shapes the present-day writing of U.S. Catholic history.

And yet, even to the extent that my article does cast judgment on the U.S. Catholic bishops of the antebellum era, it should be noted that their neutrality on slavery was judged and found wanting according to the moral criteria of *their* time by such prominent Catholics as Daniel O'Connell of Ireland, Monsignor Doupanloup of France, William Gaston of North Carolina, Father Claude Pascal Maistre of New Orleans, and Archbishop John Baptist Purcell of Cincinnati, who broke with his fellow bishops' neutrality late in 1862. These people, who do not appear in Ellis' history but who do appear in Cyprian Davis' *The History of Black Catholics in the United States*, testify to the fact that at least some Catholics of the mid-nineteenth century found the moral resources to condemn the institution of slavery. My article suggests that we try to imagine an historical narrative whose plot line gives prominence to their stance rather than that of the U.S. Catholic bishops.

Second, my article is not, as Fr. Neuhaus claims, premised on a Kantian understanding of the relation between the Church and morality. Kant's project was to free morality from tutelage to the authority and tradition of the Church by providing an account of the autonomy of morality grounded in reason qua reason. My article is part of an attempt to demonstrate the necessity of the Church for moral reflection, and the inextricable relation between ecclesial and moral discourse. If Fr. Neuhaus can show that Kant held there to be an inextricable connection between the Church and moral reasoning (and I doubt that he can), then I would readily acknowledge my identity as a child of Kant, in this limited sense.

But at the same time I would still point to another lineage in showing a connection between the Church and morality, a lineage stretching back to Moses and the prophets. In this tradition, the Church is constituted by mystery (Fr. Neuhaus is right about this), but the mystery centers on Christ's redemption, which, as Pope John Paul II has explained in *Veritatis Splendor*, opens up for us "the possibility of realizing the entire truth of our being," a realization that includes overcoming domination by concupiscence and enjoying the healing, restorative gift of the Holy Spirit. In this tradition, the Church is not held "within the limits of morality." Rather, morality is expanded to include all aspects of church life.

This is why St. Paul exhorts his readers (in language at once liturgical, ecclesial, and moral) to present

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their bodies as a living sacrifice of praise and thus to live as members of the Body of Christ, teaching, preaching, giving alms, doing works of mercy, providing hospitality, repaying good for evil, and so on (Romans 12). This is also why Aquinas identifies the sacramental life of the Church as the means by which the virtues are formed and perfected. This is also why the Church excommunicated not only for doctrinal offenses such as Nestorianism and cultic offenses such as breaking the seal of the confessional, but also for moral offenses such as abortion. My point is this: there is no sphere of church life that is located in some sphere beyond morality, as Fr. Neuhaus implies, and you do not have to be a child of Kant to hold this view.

Third, Fr. Neuhaus is mistaken when he accuses me of criticizing "the entirety of the tradition." My critique is not of "the entirety of the tradition," but of only one tradition within the tradition, namely, the Americanist tradition. The confusion stems from the overall position that Fr. Neuhaus has been developing for years now, a position that merits the label "Americanist" inasmuch as it holds that "the entirety of the tradition" unequivocally endorses the political order established in the United States of America.

In good Americanist fashion, Fr. Neuhaus seems to think that the theology and political theory of Augustine and Aquinas automatically point ahead to the founding fathers and their Catholic supporters, John Carroll, John England, John Ireland, John Ryan, and John Courtney Murray, to name a few. If one dissents from this intellectual trajectory, he surmises, one must be drawing on "a criterion of [one's] own choosing," not on an alternative reading of the tradition. Thus Fr. Neuhaus never seriously faces the theoretical tension between justice grounded in true religion (Augustine) and the natural law (Aquinas) and the proceduralist notions of justice sponsored by the modern liberal state.

Nor does he face the practical tension between mores in the United States and the moral teaching of the Church. Instead, much like his hero John Courtney Murray, he continues to insist that there exists a fundamental harmony between Catholicism and the United States, all the while explaining away any friction in terms of recent cultural decline (hence his lament over "how far the disintegration of society has progressed in the past four decades"). Thus, whatever questions Neuhaus raises about the moral capacity of the United States to adhere to the natural law, as in the "crisis of democracy" forum sponsored in this journal, are purely reformist in character: the nation will get straightened out morally once we get our people onto the Supreme Court.

As I see it, the much celebrated "crisis of democracy" points to a deeper problem endemic to politics in a liberal society, the problem of generating a politics without substantive agreement on the ends to which political life is to be ordered. For Neuhaus, this problem can be solved by making politics a matter of means, and reserving the matter of ends to religion, which would then permeate the body politic. What he fails to consider is the extent to which the body politic can permeate religion and bleach out its distinctive character. When this happens, the Church ceases to respond critically to the political life of whatever nation in which it is located. It loses its shape and substance as a body and its members learn to tolerate practices such as slave trading and abortion—usually with the aid and comfort of theological formulations such as "the Church is constituted more by mystery than by morality."

(The Rev.) Michael J. Baxter, C.S.C.
Department of Theology
University of Notre Dame
Notre Dame, IN

RJN replies:

Fr. Baxter's position is well worth further argument, and I will get around to that in due course. For the moment, I simply state for the record that I do not believe the Catholic tradition "unequivocally endorses" the political order of the U.S. I emphatically reject such a view. As to other matters, more later.

A Confessional State?

When I was at Princeton last year, I read a draft of Father Michael J. Baxter's article, "Writing History in a World Without Ends." At that time, I expressed agreement with him that the temptation to Americanism was by no means a figment of the Roman curia's imagination—either then or now. The large-scale collapse of faith and morality among American Catholics in the last generation proves that Rome was actually quite prescient about what could happen once the Catholic immigrants were assimilated.

Of course in the last century the assimilationists like Cardinal Gibbons and Archbishop Ireland were eager flag-wavers, and the anti-assimilationists were German Catholics who wanted to retain their own cultural identity and disliked the Irish bishops. The Americanizers responded that German particularism is potentially anti-Roman and can lose sight of Catholicity. Both sides made valid points, and Leo XIII responded appropriately in *Testem Benevolentiae*.

What I argued against Fr. Baxter is that he, too, is an Americanist in a more subtle way. I asked if he intended to take the position of Bishop Dupanloup and Montalembert in the last century: that the "thesis" or objectively best form of government would be a Catholic confessional state, but that in contemporary circumstances Catholics must accept the liberal state as a "hypothesis"—that is, as a tolerable situation necessary in order to avoid greater evils but not as a good thing in and of itself. Fr. Baxter hesitated to say this even though he knows well that John Courtney Murray's critics (such as Cardinal Ottaviani, Msgr. Joseph Clifford Fenton, and Father Francis J. Connell, CSSR) did uphold this in the *American Ecclesiastical Review*. I told Fr. Baxter that unless he was willing to uphold in theory the thesis of the Catholic confessional state, his

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own accusations of Americanism would recoil on him.

I also suggested that Fr. Baxter's pacifist politics owed more to American sectarian Protestant radicalism than to the Catholic tradition. When Fr. Baxter writes Catholic history as if it began and ended with Dorothy Day and the Catholic Worker Movement, he manifests an Americanist myopia more marked than any displayed by John Tracy Ellis, Jay P. Dolan, or David O'Brien. Fr. Baxter's purportedly prophetic and evangelical alternative sounds typically American to me—the standard fare long since provided by the Quakers and other "peace churches" in their policy statements. What is so profound or prophetic about that?

As I understand Murray, he held that the thesis of the Catholic confessional state was not a necessary aspect of the Catholic doctrine of church and state, though the medieval and post-Tridentine Catholic states were defensible in their historical context. Fr. Murray's critics held that he had conceded too much to the theory of the liberal state. Looking at the present American situation, I now think that we should uphold the thesis *precisely in order to pursue* the ideological critique and political engagement pioneered by John Courtney Murray.

If one realizes that the confessional state is not possible under present circumstances and that all Christian political involvement assumes that any political order is a "hypothesis" in relation to the Kingdom, it is possible to appreciate John Courtney Murray's seminal work and yet avoid slipping by degrees into what Fr. Baxter calls a "world without ends."

Ironically enough, this theoretical defense of the old thesis would serve a purpose in our dialogue/controversy with other groups who do not conform to liberal political assumptions: the Christian Reconstructionists (who criticize Abraham Kuyper in much the same way as Fenton criticized Murray); Orthodox Jews in both Israel and the Diaspora, whose normative tradition has a problematic relation to the Israeli state and to the fact that it is not a Torah-state; and Muslims, whose religion in principle acknowledges no relative autonomy of the temporal sphere. Our mode of argument may be useful to them in their analogous political and religious reflection and action.

If Fr. Baxter is serious, then let him rise to the challenge of defending in principle the thesis of the confessional state. Otherwise, he should take his place next to the Catholic historians whose Americanist assumptions he so sharply criticizes.

W. Robert Aufill
Stillwater, OK

Michael Baxter replies:

Recalling a conversation we had last year better than I, Mr. Aufill complains that I hesitated to endorse in principle that the Catholic confessional state is the best form of government. I still hesitate. I distrust attempts to provide an account of "the state" in the abstract because such attempts legitimate what is in the name of what ought to be. I especially distrust such accounts in modernity because, as Alasdair MacIntyre has argued, the modern nation-state is a dangerous and unmanageable institution that often masquerades as an embodiment of community and a repository of sacred values. Faced with this situation, the Church does not need a theory of the state. What the Church needs is a description of the true character of the state and a set of practices to resist it. To designate the modern nation-state as an instrument by which to propagate the Christian faith is to imperil the Christian faith.

Mr. Aufill, if I read him correctly, is likely to reply that what he is proposing is nothing more than a normative principle to be accepted in theory (as a "thesis") as a way to remind Catholics "that any political order is a 'hypothesis' in relation to the Kingdom" and thus to instill in them a critical perspective from which to engage the present political order in the United States. I am sympathetic with his aim, but I do not believe this to be a very promising strategy, for two reasons.

One, moral and religious formation is not achieved by means of a theory alone, especially a thoroughly disembodied theory such as that of "the confessional state," which, as Mr. Aufill admits, is "not possible under present circumstances." Two, the logic Mr. Aufill uses to explain our relation to the liberal state—that it is "a tolerable situation necessary in order to avoid greater evils but not a good thing in and of itself"—smacks of the kind of "lesser evil" logic that undercuts the integrity of moral action, including political moral action, whereby the intention and object must be ordered to the good. Indeed, given the structure of the argument put forth by Mr. Aufill, it is difficult to see what bearing a substantive account of the good has on politics "under present circumstances." Here he could respond, I suppose, that the good provides guidance for critical, ad hoc engagement with the liberal state; in which case I would agree (this is a central claim in my article): but in order to function in this way, the good must be socially embodied in an actual community.

Rather than retrieve Bishop Doupanloup's thesis/hypothesis construction in order to inform the sixty million Catholics in the United States that they live in a state of "hypothesis," I suggest we set our sights on the good as set forth in the natural law and fulfilled and perfected in the supernatural life of Christ, and ask: what practices and institutions are necessary to sustain this form of life? The answer, as I see it, should come by way of descriptions of practice-based, ecclesial communities that exemplify a Christologically shaped politics. At the heart of such a politics is the belief that the peace Christ bestowed as a gift to this Church is best received by embodying that peace as a gift to the world.

But it is not appropriate to label this politics "pacifist," for the case can be made that it is also represented in the just war tradition, which likewise stands as a challenge to the state-sponsored violence of modern war. Nor is it appropriate to trace the roots of this politics to "American sectarian Protestant radicalism," for it originated long before Protestantism and

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it has taken root in places that do not fit the adjective "American" (which Mr. Aufill confines to the territorial boundaries of the United States), as becomes clear in light of the host of martyrs, saints, and disciples who embody it, including Polycarp of Smyrna, Martin of Tours, Benedict of Nursia, Francis of Assisi, Franz Jaggerstatter, Oscar Romero, Christian de Chergé and the other Trappist monks murdered in Algeria last year, to name but a few.

The significance of the Catholic Worker Movement in the context of the history of Catholicism in the United States is that it so clearly exemplifies this kind of Christologically shaped politics. History does not, of course, begin and end with the Catholic Worker. But history does begin and end with Jesus Christ, the Alpha and the Omega, and the Catholic Worker at its best has conformed its aims and purposes to this truth. In so doing, it has demonstrated a basic point that seems to have been lost to Mr. Aufill: that it is possible to avoid an Americanist accommodation to the liberal state without resurrecting the fantasy of the confessional state.

Tillich and Liberalism

Max Stackhouse should be commended for the virtue of constancy ("Humanism After Tillich," April). He has, for some time now, swum against the theological current in calling attention to what he counts as the forgotten achievements of theological liberalism. And in the course of his writings about why liberal theology and liberal theologians ought not be forgotten, Stackhouse is always interesting, insightful, and almost plausible. For example, I should like to read more on how theology might exercise its prophetic responsibility to a society that must be simultaneously viewed as subordinate to the law of God as well as a dialectical partner whose God-given autonomy serves to "temper religion's own temptations."

Missing from Professor Stackhouse's praise of Paul Tillich is the recognition that perhaps one reason why there are still theologians interested in Tillich is because we stopped following Tillich before there was nothing left of our theology. Stackhouse is correct that, for a time, orthodox theology accepted the sectarian option (which I think is better understood as finding a refuge in the Word and Sacraments of Christ's Church) and started paying closer attention to Karl Barth's early warnings about the consequences of liberalism. The reason why Prof. Stackhouse can still commend a liberal theologian is because liberal theology did not succeed in its self-destructive aim to transform itself in a form acceptable to secularism. Do we again need to remind ourselves that liberalism qua secularism is largely an agreement, based on the contradictory assertions of rationalism and empiricism, that belief in God and religion are to be marginalized in culture and politics?

In regards to Prof. Stackhouse's attempt to resuscitate Tillich, I would not for a moment wish to discount Tillich's profound courage in resisting Nazism before such resistance was fashionable. Nor does my argument need to suggest that Tillich's theology, especially in his later years, was guided by anything but the most noble of intentions. Rather, I think that Prof. Stackhouse's argument suffers from a selective amnesia in failing to reconcile his praise of Tillich's project with the upshot of Tillich's theology in his students and followers. If Tillich was a bridge between religious faith and secular unbelief, was not the traffic on this bridge mostly in the direction from faith to secular unbelief? There are two reasons that explain this historical reality.

First, the more that Tillich embraced existential categories in articulating his theology, the more his theology had to be distanced from the theological tradition and notions of teleology. Once theology is unable to articulate where it is coming from and where it is headed, it has subverted its ability to speak prophetically. Cut off from tradition and teleology one can no longer give adequate reasons for moral condemnations. For example, one may speak out prophetically against adultery by appealing to the theological tradition or by showing how sexual sins subvert the pilgrim's progress toward the goal of faith. (I am not suggesting that Tillich's sexual practices undermine his theology or I would have to withdraw my earlier praise of Barth.) When prophetic judgments are severed from the tradition or teleological context in which they make sense, they are no more than arbitrary preferences disguised as prophetic-sounding noises. As a matter of historical fact, liberal theology's exercise of the prophetic responsibility turned out to be rather like a predictable echo of the "moral" judgments of secularized politicians and cultural leaders.

The second failure of liberalism is associated with the fact that, along with the Word that condemns the world, theology aims at commending this Word to the world. Yet after liberal theology had worked its wonders on Scripture, miracles, the life of Christ, and every doctrine central to the Christian confession, what was left to commend to the condemned world? If liberal theology would have succeeded, what creed would have remained to confess and what Church would have been left with which to confess this creed? While I am sure that Prof. Stackhouse is correct about the distorting effects of sectarianism, fundamentalism, and the return to premodernism, these things all name the way that orthodox theology and faithful Christians were able to survive the onslaught against the faith that went forth under the banner of liberalism and secularism. . . .

D. K. Weber
Roberts, MT

Max Stackhouse replies:

I am grateful for the kind remarks about my work by Mr. Weber, and while my article is focused on a response to the Nietzschian challenge that Tillich's work addresses, it does invite wider reflection about Tillich, and liberalism, as Mr. Weber suggests.

It may be true that Tillich led a

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number of people away from faith into the labyrinth of existentialism, and it may be that antinomian aspects of his work were a rationalization of his infidelities or had implications that, when applied to personal behavior, could lead to it. But antinomian accents are not unique to him in contemporary ethics, liberal or conservative. They have enjoyed a rather vigorous half-life among some celebrants of virtue theory and those postmodern Barthians whose view of "the freedom of God" excuses a moral situationalism.

But that may be a misreading of what Tillich is ultimately about, whatever his failures. What struck me and other seminarians about Tillich as a teacher was less the turn to a radical historicism than the fact that on the far side of it he saw an "onto-theo-logical" "Ground of Being" (which, of course, everyone of us understood as God, and every post-foundationalist heir of existentialism today views as empty, dead, or in need of obliteration). In other words, he put the Nietzschian-existential-postmodern-anti-essentialist-deconstructionist drift of our times into a deeper and wider framework that finally constrained and relativized it.

It was this that made it possible for me, and a number of my classmates, to become, or to become again, Christians. The issues were tied up with the basic perception that many of us had then, and many more in the universities have now, that the choice is clear: one can be intellectually honest or one can be a believer, but one cannot be both. Tillich refuted the choice, acknowledging that much of tradition, religion, dogma, and our very mental images of God are social constructs, and that it does not help us face doubt by demanding confidence in them all the more earnestly. Tillich taught instead that there is good reason to struggle with and hold to the meanings behind these "constructs" because they also participated in and pointed to a reality that was not constructed.

Tillich sought to resurrect and restate the apologetic elements of theology that have been the companion to dogmatic elements until our time. He did, probably less well, what Augustine did in using Neoplatonism, Thomas did in adapting Aristotle, Luther did in drawing on Erasmus, Calvin did with aspects of Stoicism, and both Edwards and Leo XIII did with Locke. Each of these "uses" of "liberal humanism" enhanced what they did. Tillich draws on existentialist themes in his *Systematic Theology*, of course, but we surely must note that they are interpreted in the context of a work organized on a Trinitarian basis.

I have pressed this issue in part because I fear that fierce polemics against "liberalism" may prevent us from being discriminate about the varieties and kinds of liberal thought. After all, liberalism itself ranges from those who see the increase of freedom as a chief end of life, to those who argue for the relative independence of religious, sexual, intellectual, and economic life from state regulation, to those who recognize the truth and justice of universal principles other than religious ones.

While I do not think that any of these can be sustained over time without theological definition and guidance, as I argued, the impulses behind them may preserve theology from theocratic temptations or pious forms of ghetto-chatter (pietonics?). Blanket refusals to interact with humanistic thought prevent us from recognizing potential allies who could learn from and contribute to a faithful, enduring, and publicly compelling theological perspective. Such an attitude of refusal in itself would falsify the tradition, both because that is what much of the tradition is, and because it would deny that God's grace can operate in and through channels that are unsure of grace or anxious about the very idea of God.

Religion & the French Revolution

When, at FIRST THINGS' invitation, I suggested that my book *The Religious Origins of the French Revolution* be given to Norman Ravitch of the University of California at Riverside for review ("Whig History Revisited," February), it was with the full knowledge of his reservations concerning parts of the book's thesis and with every intention of affording him an opportunity to state them publicly. Little did I expect that Professor Ravitch would take the occasion to dismiss my history as a "fairy tale" and choose to reopen barely healed confessional wounds with voyeuristic speculations about my "Protestantism" and its putative influence on the book.

The principal charge brought by Professor Ravitch against my book is that it is an instance of "whig history"; the bulk of his review is devoted to describing "whig history" in contrast to its opposite, presumably Tory history. As described by Professor Ravitch, "whig history" sees the Protestant Reformation of the sixteenth century as the origin of political liberty, freedom of thought, and economic individualism—everything "good" about modernity, in other words—while attributing to Catholicism the role of political absolutism, social hierarchy, and economic corporatism—everything left behind by the march of progress. The only substance to this gross caricature of my views is that the book indeed posits a loose connection between a heightened sense of divine transcendence typical of Calvinism and the secularization or "disenchantment" of the political world, including France's sacral monarchy—a connection not for that matter denied by Ravitch—and an equal and opposite connection between a baroque sense of divine immanence typical of a certain Catholicism and the capacity to perceive that immanence in the political world, also including sacral monarchy. But that is about all, and it is not much.

The whole concept of "whig history," it should be added, is a coinage by Herbert Butterfield who in his now classic essay on the subject specified that, in whig history, the historical heroes and villains in the religious and political conflicts that divided them are always fully conscious of the stakes in their struggles and fully

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intend either to promote progress toward modernity or regress in the name of the past. None of this has any bearing on my book. While it is true that the book considers the long-term "religious origins" of the French Revolution, and that its story begins with the religious-civil wars of the sixteenth century, Protestants drop out of this story after the very first chapter except to the extent that the threat that they once represented continued to shape the religious self-definition of the French monarchy and to haunt the Catholic imagination until and even beyond the French Revolution.

What takes the place of the conflict between Protestants and Catholics in the sixteenth century is a conflict internal to the French Catholic Church, that between Jansenists and Jesuits, in the seventeenth and eighteenth centuries. And far from leading directly either to the Revolution or to counterrevolution, these divisions give rise to politicized "parties" in the eighteenth century which in turn metamorphose into secularized "patriot" and "ministerial" parties and ideologies which for their part do not merge into revolutionary or counterrevolutionary ideologies before intersecting in quite unpredictable ways in the course of the collapse of the Old Regime and the coming of the Revolution. Not only are one-to-one causal connections and realization of long-range intentions entirely foreign to this plot, but the counterrevolutionary "conservatism" that is part of its denouement is as fully "modern" as its "liberal" counterpart.

Professor Ravitch can sustain his implausible accusation of "whig history" only by the further charge to the effect that my book has "protestantized" French Jansenists as part of an overall Protestant bias. To be sure, my book notes, along with just about every other one on the subject, that French Jansenists shared with Calvinists a starkly transcendent conception of God, a very profound sense of human sin, and a feeling of total dependence on divine grace. Yet like the St. Augustine from whom they derived these emphases, French Jansenists remain altogether Catholic in my book—so much so, indeed, that they also long retained certain characteristics of the militantly Catholic and anti-Protestant sixteenth-century Holy Union or League.

The only sense in which Jansenists occupy Protestant "space" in my book is in the (relatively noncontroversial) contention that a religious controversy about Jansenism within French Catholicism in the eighteenth century replayed some of the same issues that had separated Catholics from Protestants in the sixteenth century—and with all the more devastating effect for both Catholicism and the monarchy in that this second round occurred in a century of secular "enlightenment" and amidst the growing power of lay public opinion.

As to the book's putatively pervasive Protestant bias, perhaps Professor Ravitch was misled by my conclusion's qualified endorsement of the liberal nineteenth-century French historian Edgar Quinet's judgment that a violent but failed French Revolution at the end of the eighteenth century was the price that France paid for having rejected the Protestant Reformation in the sixteenth century. Yet it is by no means necessary to accept Quinet's prejudicial view of Catholicism to recognize, with him, that the failure of radical religious reform in France in Protestant form in the sixteenth century and in a more austere Catholic, or Jansenist, form in the seventeenth and eighteenth centuries meant that it was left to a revolution that turned anti-Christian to undertake many of the reforms accomplished under more Christian auspices elsewhere and much earlier.

The result was not only that the Revolution failed to institute a stable political liberty—both Tocqueville's and Quinet's lament—in part precisely because of its lack of any fulcrum in the French religious conscience, but also a century and a half of ever more sterile conflict between a militantly anti-Christian republican (later socialist) left, and a state Catholic Church that chronically compromised itself in association with, first a royalist, then an anti-Semitic and quasi-fascist, right. If Professor Ravitch is really of the opinion that French Catholicism benefited from this chronic clash of ignorant armies by night, he is of course entitled to it, but it may perhaps be permitted, even for a Protestant, to doubt.

It should be obvious by now that this is a history written in a combination of ironic and tragic tropes; no more than ultramontane Catholics could Huguenots or Jansenists have derived much consolation from the way it turned out. How this history could have been so extravagantly misread by Professor Ravitch has, I suspect, more to do with his ideological commitments than mine. As for mine, the only clear political "lesson" contained in the book of which I am at least consciously aware is that it is unwise and in the long run even impolitic for any church or religious community to tie its fortunes very closely to a given state, much less a political party. Those among First Things' readers with ears to hear will hopefully do so.

Dale K. Van Kley
Calvin College
Grand Rapids, MI

Norman Ravitch replies:

I welcome Professor Van Kley's moderate, respectful, and reasonable disagreements with my assessment of his book *The Religious Origins of the French Revolution*. His work is impressive and useful even if some of it appears to repeat certain historical fairy tales. In the final analysis Van Kley is upset because he suspects that I consider him part of what in the sixteenth and seventeenth centuries was called the "international Calvinist conspiracy." To this I do plead guilty.

The Virtue of Values

I heartily agree with Thomas D. Williams and his attempt to defend the concept of value against its conservative detractors ("Values, Virtues, and John Paul II," April). Here are just a few points about English usage that support Father Williams and the rehabilitation of value.

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Shakespeare speaks of value in *Troilus and Cressida* when he has Hector say (II, I):

> *But value dwells not in particular will;*
> *It holds his estimate and dignity*
> *As well wherein 'tis precious of itself*
> *As in the prizer.*

No subjectivism of value here; value, far from being a function of someone's arbitrary valuing, "dwells not in particular will" and is "precious of itself." Recall Oscar Wilde's famous definition of a cynic: the one who "knows the price of everything but the value of nothing." The antithesis doesn't work if value does not express an entirely objective dignity. And value expresses this naturally, organically, in full harmony with the genius of spoken English, which cannot be so easily eroded by artificial theories of the subjectivity of value.

Fr. Williams will find abundant support in the writings of C. S. Lewis, whose refutations of value subjectivism are unsurpassed. In *The Abolition of Man*, Lewis, who knew as well as anyone how to speak English with distinction and precision, argues "the doctrine of objective value." Lewis could not say all that he wants to say in this book if he always had to say "virtue" instead of "value."

By the way, the counterpart of value in other languages is just as capable of bearing the meaning of objective goodness as is value. Thus the German *Wert* is easily and naturally used in the most objective of senses, as in the radically anti-subjectivistic and anti-relativistic *Wertphilosophie* of Max Scheler. The same holds true for the Italian counterpart, *valore*, which at least since Dante often sets aside *buono* (from *bonum*, good) in favor of *valore*, as when he speaks of God as *lo primo ed ineffabile Valore*—no subjectivism of value would make any sense in such a theological context.

It is certain, then, that we do no violence to the English language in using value to express not relative or relational but absolute goodness; this is just one of the things it has meant for centuries, nor has the prevalence of subjectivistic theories been able to denature this expressive power of the word. And in no way does "value" lag behind "virtue," or for that matter "good," in the ability to express what is objectively, absolutely worthy. The expressive resources of the living language are not so easily undermined by the intellectual fads that come and go in the universities.

John F. Crosby
Franciscan University of Steubenville
Steubenville, OH

With reference to all this debate about whether we should place "virtues" over "values": One cannot create a virtue for virtues are static, but one creates a value when he points to a virtue as a desirable trait. The virtuous point the way, and we adjust our malleable values accordingly. This is our calling as followers of Christ. The world suffers the fate of the laws of its creation: It winds down towards dissolution. So, first it destroys the virtuous, then those who value them. . . .

Richard Stauch
Cypress, CA

For obvious institutional reasons, I am grateful to Thomas D. Williams for his vigorous defense of Pope John Paul II's use of the term "values." I can't wait to tell the next person who wants to correct me on this subject: You don't like it, take it up with the Pope.

Of course, I admit that, in 1987, when we were naming this organization, our thinking on this topic was at best hazy and intuitive. This lack of clarity is surely one reason why we are often criticized for using the word — sometimes from people who think that even "values" is preachy and presumptuous, other times from people who think that anyone who says "values" believes that all morality is subjective. Now, thanks to this fine essay, I am much surer of what we meant, or at least should have meant. I am also encouraged to hope that perhaps we were building better than we knew.

David Blankenhorn, President
Institute for American Values
New York, NY

I applaud Thomas D. Williams' article arguing in favor of rehabilitating Christian theological language. "Charity" is a perfect example of a wonderfully expressive word that has lost its former glory. When I teach, I am careful to explain to my students the full meaning of the word charity, in contrast to its currently emaciated self. Then I use it in my lectures and encourage my students to do so as well. Reviving "charity" helps to broaden and clarify our understanding of the ambiguous and multifaceted word "love."

This rehabilitation of charity is important, however, because charity used to mean much more than it commonly does today. And what it meant (the love of God and our neighbors through God) is useful for theological discussions. "Values," on the other hand, has no such illustrious history. Its use in connection to moral philosophy, as Williams mentions, begins with Nietzsche and Weber. Before that, the word "value" was used only to discuss merchandise and colors.

Rescued from its modern meaning, "values" seems to be of little use for theological discussions. Rather than a rehabilitation it would need to undergo a complete transformation of meaning in order to be useful. But that raises the question of why we need to transform "values" at all. Even transformed according to Williams' suggestion, it does not seem to express anything more precisely than what is already expressable by "goods" (*bona*). Negatively, "values" also carries with it a subjective orientation as a result of its pedigree.

So, while I agree that the general project of rehabilitating Christian theological language is an important one, there seem to be better candidates available. "Faith," "hope," and "charity" seem like a good place to start.

David Burroughs
Boston College
Chestnut Hill, MA

. . . Thomas Williams' argument about the prudence of using "values" language as an aspect of the Church's "new evangelization" glosses over the

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occasions on which the term is used in ways that are unhelpful to the stated goals of the new evangelism. The official text of the Church's documents (Latin) *cannot* use an equivalent to the term "values" whatever language the documents originated in or however many steps there are between language of original composition and the official Latin text. The term *bona* in the official text is fundamentally different from the term "values," and language about truth and goodness is of a different order from language about "values."...

Iain Benson
Center for Renewal
Ottawa, Canada

The Soul of Woman

In regard to "The Myth of Soulless Women" by Michael Nolan (April): that myth indeed did not die easily. In nineteenth-century America the Tennessee legislature formally debated and concluded that married women did not have free and independent souls and therefore had no property rights. This was, in fact, the legal position of women almost everywhere at that time, just as the women's rights movement was beginning in the United States.

Amelia Bloomer, who had attended the 1848 Seneca Falls Convention but withheld her signature from its Declaration because of her doubt about whether women should vote, was so incensed by the Tennessee legislators that she wrote an editorial for her temperance journal, *The Lily*, in March 1849, which helped open the women's rights discussion to a nationwide audience.

> Wise men these, and worthy to be honored with seats in the halls of legislation in a Christian land. Women no souls! Then, of course, we are not accountable beings, and if not accountable to our Maker, then surely not to man....
>
> We suppose the wise legislators consider the question settled beyond dispute, but we fear they will have some trouble with it yet. Although it may be an easy matter for them to arrive at such a conclusion, it will be quite another thing to make women believe it....

Amelia Bloomer herself, doubts now removed, went on to become president of the Iowa Woman Suffrage Society and an inspiration to suffragists throughout the country. So much for male logic about the nature of women's souls!

Ruth B. Moynihan
Storrs, CT

(The writer is author of Second to None: A Documentary History of American Women.*)*

Of Canada and Cuba

As a recent Canadian subscriber to First Things, I was shocked to read Richard John Neuhaus' diatribe against Canada (While We're At It, April). Yes, Canadians are trading with Cuba, and are making a tidy profit from doing so. But what else should one expect from business entrepreneurs, given the U.S. embargo on trade with Cuba? Business is business, and American entrepreneurs would do the very same, given the opportunity.

Indeed, if Father Neuhaus would have listened to a recent CBC report, he would have discovered that despite the embargo, American entrepreneurs did $700 million worth of business with Cuba in the last year—secretly, of course! Sacrifice for the sake of moral principle, or sainthood, hardly befits the American (or the Canadian) entrepreneur, a point that could bear more exploration in First Things. Canadians are chastised for supporting a "brutal dictator." But how many brutal dictators are enthusiastically supported by the U.S., and how many times is the often incoherent foreign policy of the U.S. governed by business interests?

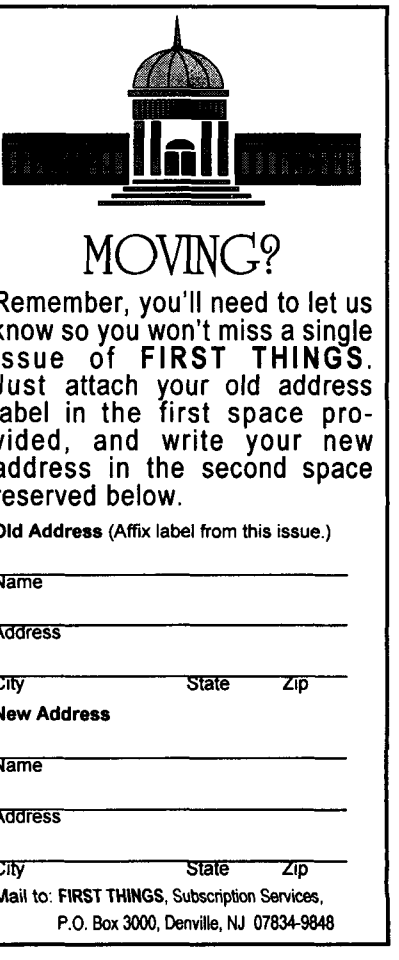
And, yes, "the Canadian identity kit is almost emptied these days." But I was offended by the tone of Fr. Neuhaus' description of Canadian problems. Surely a more compassionate tone would be more in keeping with our common Christian identity. And a more compassionate tone would also be more appropriate than the inflammatory language of propaganda used to describe Cuba as a "morally sleazy" country. I thought First Things was a Christian journal.

You owe Canadians and Cubans an apology, Fr. Neuhaus.

Elmer J. Thiessen
Department of Philosophy
Medicine Hat College
Alberta, Canada

RJN replies:

I would assure Professor Thiessen that I do have compassion for Canada, but that might be taken as condescending. My objection was to the tone of moral superiority in some official Canadian statements about that country's policy toward Cuba. And I don't know why being Christian should preclude candid comment about the moral sleaze of the regime in Cuba.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The Catholic Church and China

I was pleased to read Richard John Neuhaus' mention of China in While We're At It (March), along with the quotation from the Pope's recent statement and the apt analogy to Christians behind the Iron Curtain before the fall of the Soviet Union.

But I cannot help thinking that the Pope's statement, while an important gesture and much better than nothing, is a bit mild. After all, telling the Chinese government that it has nothing to fear from Christians sounds rather like reassuring the trembling wolf about the ravening sheep.

As a Protestant, I may simply be unaware of something, and if so, I would sincerely like to be informed: When and where in the last few years has there been an open statement by a highly placed Roman Catholic official *naming* China and *condemning* and calling for an end to the Chinese government's practices of forced abortion and post-birth infanticide? Preferably, such a statement would also contain words of comfort and support particularly for Chinese Christian mothers who are the other coerced victims of these abortions and for parents whose newborn children are slaughtered. I know that *Evangelium Vitae* talks in general about the evils of population control using abortion, but I found no explicit mention there of China.

Here is an irony: In the fall of 1995, *Reader's Digest*—not a Catholic magazine by any stretch of the imagination—carried a story telling in detail about the horrifying (and routine) Chinese practice of ordering doctors to kill newborns who have no "birth license" by lethal injection into the soft spot of the head, even over the frantic pleas of their parents. Yet I have met devout, pro-life Catholics who know nothing about such infanticide, and who are almost incredibly ignorant about the ruthlessness of China's forced abortion policy. . . .

I have read that when John Paul II was just beginning his papacy, someone called out at one of his public appearances, "Remember the Church of Silence!" This phrase referred to the Church behind the Iron Curtain. To which the Pope responded, "It is not the Church of Silence any longer." The implication was that, with the election of a Polish Pope, the Church of Silence had found a voice. Now, I fear, the Church in China has become the new Church of Silence, and who will speak for her?

Lydia McGrew
Kalamazoo, MI

RJN replies:

In an encyclical addressed to the universal Church such as *Evangelium Vitae*, there is no explicit reference to abortion in, say, the United States, but nobody can doubt the applicability of the condemnation to our country also. As for Catholic publications and statements by individual bishops, the Chinese outrages mentioned are addressed, but not nearly enough.

Novenas Past

In While We're At It (April), the mention of the disappearance of holy days struck a responsive chord.

What ever happened to the "missions"? These were services during three days in Lent when a visiting missionary—invariably an accomplished orator with a Ciceronian sweep of syntax—would scare the stuffing out of us highschoolers with thundering threats of hellfire and eternal damnation if we did not mend our ways.

For weeks after the "mission," lest we be guilty of mental dalliance with a shapely lass, we averted our gaze as the damsel tripped by. And, to make sure we had not harbored a wayward thought, we choked on a silent prayer.

What happened to the novenas? On thirteen Tuesdays preceding the feat of Saint Anthony of Padua, an empty seat could not be found in the church; as ushers at the services, we learned the knack of squeezing ten people in an eight-person pew.

The novena of Saint Francis Xavier always filled the church. One remembers the noon-day Mass when streams of the faithful flowed from the business district to the Jesuit church in the North End of Boston. The lunchtime Mass and abbreviated homily proved as inspirational and moving as a two-hour, trumpets-and-organ procession and incensed service.

And can one forget, ever, the short, sweet, simple prayer and talk and song in honor of Mary on the first days in May? We were college students and the novena was conducted by seniors of the college on the library steps and—although a priest could not be spared from his classroom duties—the impromptu novena was a touching, uplifting, and unforgettable footnote in our campus life.

Incidentally, on that same campus today, perhaps on those same library steps, a gay-lesbian organization of students gathers to demand status and office space.

The slow erosion of the traditions of the faith is reaping a strange harvest.

E. A. Siciliano
Professor Emeritus
Boston College
Newton Center, MA

Cancel My Subscription

During the past year FIRST THINGS has sometimes delighted, often enlightened, and not infrequently prompted me to think hard. However, it has also vexed me more than it should have, particularly of late. I agree with the criticisms S. M. Hutchens and D. F. Wright made in their letters in the April issue. I was embarrassed and irritated by Richard John Neuhaus' self-congratulatory apology for publishing Edward T. Oakes' favorable review of a book by Martha Nussbaum.

FIRST THINGS tries too hard to be all things. Diversity for its own sake or for the sake of retaining the good opinion of those who reject your underlying commitments does you no credit. Moreover, the sense of irresolution incident upon trying to tolerate too much engenders a defensive and meanspirited attitude toward criticism. . . .

FIRST THINGS has fallen short of the standard I expected of it, so I have asked your subscription department to cancel my subscription.

W. Dain Oliver
Newton Highlands, MA

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This Time

Oh, Canada

James Nuechterlein

It was quite by chance that I found myself in Canada on June 2, federal election day. It turned out to be an election that satisfied no one, and that may indeed mark one further step on the road to national dissolution. The ruling Liberal Party maintained its majority in the 301-seat Parliament, but by a diminished and now-narrow margin; the separatist Bloc Quebecois lost its position as official opposition; the populist conservative Reform Party came in a distant second to the Liberals and could not extend its western base into central or eastern Canada; and the remaining Progressive Conservative (PC) and New Democratic (NDP) parties, while improving on their near annihilation in the 1993 elections, made only modest gains.

The most ominous result of the election is that the Liberals, under Prime Minister Jean Chretien, constitute the only national party, and their representation in the west (Manitoba, Saskatchewan, Alberta, and British Columbia) is spotty. The maritime provinces (Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland) are divided among the Liberals, Progressive Conservatives, and New Democrats. Elsewhere, the Bloc Quebecois holds an almost two-to-one margin over the Liberals in Quebec, the Liberals have a stranglehold on Ontario (101 of 103 seats), and Reform dominates the west.

Nationalist sentiment has declined steadily over the years. It remains strong in Ontario and the Maritimes—in the former because, as the most populous province, it dominates federal politics; in the latter because they fear that national break-up will mean disaster for their fragile, heavily subsidized economies. French-speaking Quebecers feel estranged from English-speaking Canada, which is leery of granting their province special constitutional status, and they are increasingly persuaded that maintenance of their culture requires separate existence as a nation. (English-speaking Quebecers, a slowly dwindling minority, contemplate their fate in a separate Quebec with fear and trembling.) Westerners, for their part, are fed up both with Ontario, which they have always thought arrogantly indifferent to their interests, and with Quebec, which they consider ungrateful and unappeasable. If Quebec, despite extensive federal efforts to spread bilingualism and biculturalism across the country—efforts the west has always resented—still wants out of confederation, then, many westerners say, good riddance.

All this is quite different from the situation that prevailed during my years teaching at Queen's University in Kingston, Ontario, from 1964 to 1981. Sectional tensions existed, to be sure, but in what then seemed manageable forms. The Liberals—under Lester Pearson and Pierre Elliott Trudeau—held office through most of that period, but they were seriously challenged, coast to coast, by the PCs and, to a lesser degree, by the NDP. (That three-way competition seemed the natural way of things, but in 1997 it occurred only in the Maritimes.) Separatist sentiment grew during the 1970s, but the first Quebec referendum on independence in 1980 lost decisively. (The most recent one, in 1995, was very narrowly turned back, and gained a clear majority among French-speakers.) The west was restive, but not rebellious.

The great national preoccupation in those days was not national unity but national identity. (Not in French Canada: they knew very well who they were and had only contempt for what they took to be English Canada's perpetual navel-gazing.) I understood the country's concern for identity, but it made me very nervous. Soon after arriving in Canada it dawned on me that for English Canadians concerned to preserve (or establish) a distinct culture in North America there was just one obstacle: the Great Leviathan to the south. How could English Canadians, in a country with one-tenth the U.S. population, most of them living within one hundred miles of the American border, withstand the onslaught of Yankee culture? The answer was, They couldn't. But they didn't have to like it. Nothing drove Canadians to greater distraction than to be told by visiting Americans, who of course meant it as a compliment, that Canada was "just like the U.S." There followed, for an American newly arrived in Canada, a forlorn but inescapable conclusion: *Anti-Americanism is at the heart of Canadian patriotism.*

It had not always been so—or at least not in the same way. Much of English Canada was first settled by United Empire Loyalists, those who, for a variety of reasons, took the losing side in the American Revolution and fled north after 1783. Their anti-Americanism had a substantive ideological base: they had rejected American liberalism (even if, in some cases, only after the fact) in favor of English conservatism. Not for them "life, liberty, and the pursuit of happiness"; better to cling to the homelier but sturdier virtues later proclaimed in the British North America Act (1867), "peace, order, and good government."

This ideological preference had an objective correlative: the British connection. Until after the Second World War Canadian patriotism was not just anti-American but pro-British. Canadians were proud members of the British Empire. Every day in my early years at Queen's my walk to campus

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through a downtown park took me past a statue of Sir John A. Macdonald, Canada's first Prime Minister and its premier nineteenth-century statesman. It bore the inscription: "A British subject I was born; a British subject I will die." That sentiment, once central to Canadian identity, has today for most Canadians only historical significance.

Only the negative remains: Canadians are not Americans. Except that, in so many ways, they are. The ideological distinctions have eroded: Canadians are now politically more liberal, at least in the modern sense, than Americans. English Canadians, who are of necessity close observers of all that occurs south of the forty-ninth parallel, heavily favor Democratic politicians and causes over their Republican counterparts. Indeed, some Canadians, especially intellectuals and academics, have long dreamed of establishing socialism as the thing that distinguishes Canada from the United States, just as Toryism once did. But the democratic socialist NDP has never made the breakthrough to major party status on the federal level that so many of my colleagues at Queen's were always sure was just around the corner.

More important, Canadian culture is saturated with American influences. Despite government efforts in recent years to put up barriers to American cultural imports and to establish "Canadian content" rules wherever possible, the American presence is ubiquitous. Canadians read American books, watch American movies, sing American songs. English Canadian culture is not nonexistent, but its condition is perpetually fragile. The Canadian Broadcasting Corporation, the National Film Board, and *Hockey Night in Canada* all make a difference, but not a defining one. It is difficult to imagine how things could be otherwise.

Most Canadians have mostly resigned themselves to the situation. They are not happy with it, but they have learned, with varying degrees of good grace, to live with it. (And with the Americans in their midst. In my seventeen years in Canada as an American teaching American history I only on the rarest of occasions was made to feel awkward on that score.) Many Canadians hold their anti-Americanism in check by the ironic recognition that it could develop into the chauvinistic nationalism that, in their view, is one of America's least attractive attributes. Canadians, as a senior colleague informed me early on, take what comfort they can in their necessarily complicated attitudes toward the U.S. by focusing on what Freud called "the narcissism of small differences." They consider themselves more decorous than their southern neighbors, less given to aberrant enthusiasms, and also (though they try hard not to say so) simply . . . well, nicer.

The greatest restraint on anti-Americanism these days is the overriding concern with national unity. English Canadians can indulge only so much preoccupation with cultural identity when confronted, as they are, with the possibly imminent break-up of the nation. The priority for English Canada today is to keep Quebec in, not to hold American influences out. It used to be that Canadian nationalists looked with scorn on the Liberal Party because of its presumed "continentalism" (i.e., softness towards the U.S.). Today many of those same nationalists have concluded, however reluctantly, that as the last remaining national party only the Liberals can preserve confederation. Anti-Americanism will never disappear from Canadian life and politics, but it is not now, I suspect, nearly as potent as it was during my years there.

My experience in Canada was, on the whole, a pleasant one. I found Kingston an attractive city and Queen's an excellent university. My students were first-rate and my colleagues (mostly) congenial. But life was shadowed by the nagging reality that I, an instinctive American patriot, lived in a culture marked by a polite but pervasive antipathy to the U.S. Most of my American colleagues resolved the dilemma for themselves by gradually shedding their American identities and, sooner or later, taking Canadian citizenship. I knew from the beginning that I could never do that.

And that is why on June 2, 1997, I once again experienced a Canadian election as I always had in the past—not as a participant but as a well-disposed, but finally quite distant, observer. FT

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Opinion

Conflicting Worlds of Welfare Reform

Lawrence M. Mead

The welfare reform that Congress passed last year ends unlimited federal aid to poor families and limits families to five years on the welfare rolls. Control of welfare is turned over largely to the states, but stiff new work rules require them to have most adult recipients working by 2002, while aid to legal aliens is virtually eliminated.

The press has commented profusely on these radical changes. It has said little, however, about the intense battle among experts going on behind the headlines. Some comity used to prevail among those on left and right who advise the government about how to handle welfare. As recently as 1988, specialists on both sides collaborated in a reform that extended welfare benefits, which liberals wanted, while stiffening work requirements, which conservatives wanted. The new reform, in contrast, is unabashedly conservative. The Republican majority in Congress forced it upon the Democrats and President Clinton. This victory was also a triumph for conservative experts over their liberal opponents, who had shaped national welfare policy for most of the preceeding thirty years.

"Liberal experts" here includes nearly all the researchers who study poverty and welfare in universities and liberal think tanks, for example at the Institute for Research on Poverty at the University of Wisconsin or the Urban Institute in Washington. It includes advocates such as Marion Wright Edelman and the staffs of liberal foundations such as Ford and Rockefeller. This group believes that poverty is due to "barriers" to opportunity such as racism or lack of jobs and child care. Accordingly, society rather than the poor is responsible for poverty. Government must overcome it by providing various new benefits to the dependent, such as guaranteed child and health care. It can promote work among welfare recipients by "making work pay," but it should not require people to work because too many of the poor might be unable to do so.

On the other side are conservative welfare experts, such as Charles Murray and Robert Rector, and the Republican staffs of committees in Congress. They say government, not society, is responsible for poverty, because welfare and other social programs in effect "pay" poor adults to live improvidently. It is largely by having babies out of wedlock and declining to work that people gain access to aid. Accordingly, the answer is to abolish welfare for the working-aged or at least impose severe work requirements. To do this is only to expect of the poor the self-reliance that America expects of all citizens.

While this liberal-conservative debate is well-known, few realize how completely communication between the two sides has broken down. Liberal experts hold almost all academic positions dealing with poverty. They invite few conservatives to their conferences, and none are named to academic or foundation committees on poverty. On the other side, conservatives control the corridors of power. In Congress, liberal experts and advocates are not invited to testify on welfare, or are dismissed out of hand. At the state level, governors plunge ahead with reforms to drive welfare rolls down, snubbing pleas from universities to study the effects. Liberal think tanks and foundations plan surveys of families to see if harm results, but actual policymakers pay them little heed.

Attempts to bridge the differences have failed. Clinton appointed as his welfare planners David Ellwood and Mary Jo Bane, moderate liberals from Harvard who were prepared to require that welfare adults work after two years on the rolls. But advocates and congressional liberals demanded that jobs be guaranteed to anyone who couldn't find one, and this made the Clinton reform too costly to enact. When the Republicans took over Congress and crafted their very different reform, Bane and Ellwood resigned. Peter Edelman, Ellwood's successor and the husband of Marion Wright Edelman, also resigned and attacked Clinton for signing the bill. On the other hand, some conservative experts—myself among them—questioned the need to cut welfare funding or set time limits for aid, believing that tough work programs were enough to bring the rolls down. The advice was ignored, as it did not satisfy the conservative urge to curb federal aid.

In part, the impasse reflects class divisions. Experts on left and right typically come from very different places in life. Contrary to what one might expect, liberals as a group are the more privileged. They generally went to better schools and hold better jobs. Background matters, because academic social policy is an intensely elitist game. Without a Ph.D. from a good graduate school and a good academic job, it is hard to get attention. The liberal experts who dominate the universities exude confidence. They possess the rarefied statistical research skills that command prestige in academia. Whatever their recent reverses, they take refuge in their good intentions and their expertise. They want to "protect children" from

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regressive changes. They look down on their conservative foes as mere publicists who distort the evidence about poverty, do not know enough statistics, and do no serious research.

Conservative experts generally have lived less exalted lives. They typically came up the hard way, with less education and more twists and turns in their careers. They are often less confident and skilled than their opposites. But, due in part to their less privileged origins, they understand popular sentiment about poverty, and this is their strength. Liberals think of poverty as a material deficit that government can make good with new benefits. Conservatives know that it is first of all a moral problem. The patterns of crime, unwed pregnancy, and nonwork that contribute to poverty are intensely unpopular with the voters. Conservatives are willing to confront those patterns as wrong, while liberals are not. This fact, more than any other, explains the conservatives' recent political success.

The elite conflict replays the battle of Cavalier and Roundhead from the English Civil War. Liberal experts are personally attractive and accomplished, and they think they should be given authority over social policy for this reason. They conjur up earnest visions of all that government could do for the poor with the right commitments. Conservative experts are often less commanding as individuals, and what they recommend is initially less attractive. But they articulate well the public distrust of programming that rests only on academic theories and seems indifferent to values. America is a meritocratic nation that admires personal achievement, but first of all it is a populist nation that insists that public policy reflect popular values.

What ultimately divides the two sides, I think, are unspoken images of who the poor are as people. Are they victims or exploiters of the society? One issue here is moral responsibility. Conservatives hold poor adults accountable for their condition, whereas liberals present them as products of social forces, people of whom nothing can be expected. A deeper issue is competence. Are the poor *able* to be held responsible for anything? Most liberals reluctantly answer no. They view poor adults as psychologically disabled by circumstances; people feel overwhelmed by social conditions, so they are. Conservatives see them more externally. They focus on behavior and potential rather than inner insecurities. So they hold the poor responsible, but they also honor them with more respect for their capability.

Such images are remarkably impervious to empirical disproof. Liberals speak of "barriers" preventing the poor from supporting themselves. The evidence for these is weak, and even if it were stronger, it is difficult to imagine circumstances where the academic left would put any onus for poverty on the poor themselves. Whatever is done to remove barriers, liberals still see the needy as too victimized to take responsibility for their own condition. Conservatives claim, equally implausibly, that the poor can be no less self-reliant than other people. No adversity can be imagined that would stop conservatives from asserting that the poor can support themselves if only government requires them to.

These images, I believe, reflect psychological needs rather than reality. Experts on both sides tend to prize personal mastery and project their denied vulnerabilities on the poor. Liberal intellectuals, however, do this more radically, reflecting their greater privilege. They want the poor to have all the advantages they had—to be entitled. But in wishing this, they condescend. Such a distance separates them socially from those they would help that the poor become people fundamentally unlike themselves. So liberals find it impossible to expect from the poor any self-reliance at all. In short, they empathize without identifying.

Most conservative experts come from backgrounds closer to poverty than their opponents. For them, too, poverty represents weakness, but they are more afraid that they might become weak and poor themselves. To them, poverty is threatening, not just regrettable. So they moralize rather than condescend. They reprove the poor for misbehavior as they would their own children. They demand that they "shape up." In short, they identify without empathizing.

This battle is more personal than public, more about these differences of background and perception than about policy. The experts are stuck in a hall of mirrors where they see themselves or their own fears rather than the reality of poverty. To escape would require a process of critical self-examination where both sides withdrew their projections. Only then could they ask what poor people really require to overcome their problems.

Short of this inward solution, how might the war of the two worlds be resolved? Over time, the voters have repudiated liberal experts, with their antiseptic, purely economic view of poverty, and embraced the conservatives, with their focus on good behavior. That pressure has already forced Democratic politicians to adjust. It might finally force a reckoning among liberal experts as well. But the mandarins are deeply dug into the foundation and university worlds. From those redoubts, political reverses merely fortify their will to criticize the society. Liberals will continue to dominate much of the discussion of poverty and welfare in the media and the culture. Reporters seeking commentary on these problems will continue to call up professors at Harvard.

On the other side, conservatives may overreach themselves. The current welfare reform could conceivably produce clearcut hardship, enough to turn the nation against cuts and limits on aid. Then the bold optimism of the right that poor people can take

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care of themselves would be questioned. But this, in the end, is unlikely. The welfare rolls have been falling sharply for the last three years, under pressure from preceding welfare changes as well as a good economy, and remarkably little hardship has appeared.

More likely, reform will take a shape tending to question both extremes in the national debate. States are increasingly changing welfare so as to preserve the chief concerns of both left and right. They are still aiding most needy families, but they are also expecting the adults to work. Policies that seem incompatible to most experts are in fact combined as reform progresses outside the Beltway. By such means, the welfare rolls may be driven down substantially without denying aid to the desperate. As this reality sinks in, welfare may become a practical problem that government can manage, rather than—as it too often is today—a battleground of elite psychic warfare.

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The San Francisco Solution

William J. Levada

In a pair of side-by-side op-ed pieces last April, the *San Francisco Chronicle* presented a double critique of the "compromise" worked out to allow the Archdiocese to comply with a new city ordinance that requires any business or agency doing business with the city to offer to domestic partners the same benefits it offers to spouses.

In one column a local Catholic chastised me for compromising Catholic moral principles by "blurring the definition of spousal benefits, [recognizing] a morally deviant relationship, and legitimizing domestic partnership by silently funding it." In the other, a local gay man lamented that our agreement allows "opponents of domestic partnerships to avoid recognizing such unions altogether, leaving same-sex couples back where they started—in a society that does not give their relationship the same standing that married heterosexuals have."

These vastly different perspectives illustrate the importance of context when looking at an issue, and the difficulty of providing an adequate explanation—or a justification, or even a moral evaluation—in today's sound-bite spaces. In San Francisco, another context is relevant too. It is estimated that about 15 percent of the population is homosexual. When rallied to a cause, they represent far more than 15 percent of the vote and the political clout in this city. It is a given in San Francisco, I am told, that politicians concerned about their future weigh very carefully the impact of their speech and actions on the gay and lesbian voters.

In a city-wide referendum in 1990, San Francisco voters narrowly adopted a new law giving legal recognition to domestic partnerships. This law was opposed by Archbishop John Quinn and a part of the city's divided ecumenical community. While registered domestic partners under the law can be either heterosexual or homosexual, the great majority are in fact gay or lesbian. What a domestic partner may not be under the law is a relative or just a friend.

Near the end of 1996, the eleven-member San Francisco Board of Supervisors adopted a new ordinance requiring businesses or agencies contracting with the city to extend the same benefits they provide to spouses to domestic partners, the category of persons defined by the referendum of 1990. The new legislation was passed unanimously with virtually no reported public hearings or debate, and was widely advertised as "pioneering" legislation that will end discrimination against homosexuals because it guarantees to domestic partnerships the same benefits typically made available to the spouses of married persons. The city had already put in place this same policy for its employees. A few major companies such as Levi Strauss, IBM, Apple, and Disney had done so voluntarily. City officials now thought the time had arrived to increase the slow pace of such voluntary compliance with a new step in the broader campaign for the recognition of same-sex marriages, to make San Francisco a "model" city that would show the rest of the nation the way in this experiment in social engineering.

In the absence of a suitable public process at which I might register my difficulties and opposition before this law was adopted, I sought an exemption for our Catholic agencies. I pointed out that the ordinance as written created a problem of conscience for agencies of the Catholic Church (and perhaps others), because it required that we change our Church's internal benefits policies to recognize domestic partnership as equivalent to marriage.

This requirement, I argued, amounted to government coercion of a church to compromise its own beliefs about the sacredness of marriage, and seemed to violate the First Amendment protection guaranteed to religion by our Constitution. I further noted that a substantial amount of the contract funds in question involved city "pass throughs" of federal and state funds, which carried no such restriction.

The Archdiocese's position was subjected to a barrage of criticism. We were told that if we were going

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to accept city monies for the work of Catholic Charities, we should "play by the city's rules." We were lectured that our charitable agencies were prevented by the "wall of separation between church and state" from appealing to religious principles when public monies were involved. We were given moral instruction about the "discrimination" involved in preventing homosexuals from accessing benefits equivalent to those enjoyed by married couples.

There were no visible alliances to whom we might appeal. Nonprofit agencies often provide benefits only to their employees; in these cases the new law does not apply. This is the case, for example, with the Salvation Army, which would share our religious opposition to this ordinance and administers many excellent programs with city contracts, but is already in compliance because it gives no "spousal benefits." Businesses typically looked at the impact on their "bottom line," or, if they were worldwide operations like United Airlines, at the complications this law might entail for their network of union contracts, other state and foreign governmental regulations, etc.

In a thorough public statement I set forth clearly the moral principles in question from our Catholic perspective, and presented what I think is a reasonable case why the Catholic Church should not be required to comply with this ordinance. I further outlined the reasons I would be prepared to challenge the law in court should the city not provide us with an exemption, or a means of compliance that does not violate our moral principles.

In making my case, I particularly called attention to the inadequacy of the city's argument about discrimination against homosexuals.

> I am in favor of increasing benefits, especially health coverage, for anyone. As the Catholic bishops of the U.S. stated in 1993, "Every person has a right to adequate health care." I would welcome the opportunity to work with city officials to find ways to overcome what I believe is a national shame, the fact that so many Americans have no health coverage at all. I can be counted on to raise my voice in support of universal health coverage nationally and locally. I feel sure I could make common cause with city officials in working toward this truly urgent need.
>
> But I reject the notion that it discriminates against homosexual, or unmarried heterosexual, domestic partners if they do not receive the same benefits society has provided to married employees to help maintain their families. If it is a question of benefits, why should not blood relatives, or an elderly person or a child who lives in the same household, enjoy these same benefits? Under the city's new ordinance, however, blood relatives are excluded from the benefits that the city's new ordinance extends to domestic partners.
>
> Historically social legislation providing spousal benefits for married persons has recognized the role that women traditionally exercised as wives and mothers, and the important function they contribute to the future of society by their unpaid work in the home raising their families. Even with today's changes in the workplace, to seek to equate domestic partnership with the institution of marriage and family runs contrary to Catholic teaching, indeed to the beliefs of most religious and cultural traditions, and as recent polls have shown, to the basic convictions of the great majority of Americans.

These excerpts from my statement, which was well covered in local media and sent to all the Catholic households of the Archdiocese, give some indication of how I saw this situation as an important teaching moment for our church to address a new and serious social debate in our society. Shortly afterward, Mayor Willie Brown asked me to meet with him and four Supervisors to explore a mutually acceptable solution to the problem. As a result of our agreement, the city has codified regulations to recognize that a business or agency which "allows each employee to designate a legally domiciled member of the employee's household as being eligible for spousal equivalent benefits" would be in compliance with the law.

I believe that it became clear to city officials that their argument about discrimination against domestic partners who do not receive "spousal equivalent" benefits does not stand up under public scrutiny when challenged. I further believe that by refocusing the targeted population for expanded benefits away from domestic partners, the rationale for using "discrimination in benefits" as a step toward the recognition of same-sex marriages has been largely removed. Even though some large companies and local governments may choose to provide such domestic partner benefits, I think it unlikely that this new San Francisco ordinance will become the "model" for the rest of the country that its proponents originally touted it to be. As the *Chronicle* commentator remarked, our solution changes the focus from domestic partners and thus removes the primary purpose of the original legislation for many of those who promoted it.

Our solution is not without its critics, and I would not want to discount their objections. But to those like my local Catholic critic who say that we implicitly give recognition to domestic partnerships by not excluding them from benefits, I must demur. Under our plan, an employee may indeed elect to designate another member of the household to receive benefits. We would know no more or no less about the employee's relationship with that person than we typically know about a designated life insurance beneficiary. What we have done is to prohibit local government

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from forcing our Catholic agencies to create internal policies that recognize domestic partnerships as a category equivalent to marriage. I agree with moral theologians like William May who see no compromise of Catholic moral principle in this practice.

Some have suggested that Catholic agencies should not be involved in any use of public monies, since it will inevitably involve them in the compromise of principles, if not sooner then later. I recognize that vigilance is required, since loss of funding could be the basis to justify even formal cooperation in evil. But I do not grant that such is the case here.

Others have lamented that I did not challenge this ordinance in court. Surely the city did not want a court challenge. But then neither did I relish the prospect of a lengthy, expensive legal challenge with an uncertain outcome, while making adversaries of city officials with whom we should be working on questions that will help address many pressing social needs.

In defending my action in this matter, it may sound as though I am proposing this course for others to emulate. Far from it. We chose a course in which acceptable and practical options had been reduced to the minimum. This solution will no doubt be costly and difficult to implement, although with more large companies like Bank of America adopting our solution, costs may come down. I am satisfied that in San Francisco we have achieved a notable success by shifting the debate so that what was intended by proponents of the legislation as a requirement that all employers accept an equality of status between domestic partnership and marriage has now become a situation where employers can expand health care benefits, while not being forced to recognize that marriage and domestic partnership are equivalent. But it would be my hope that our experience here would provide good reasons why any proposal elsewhere for similar legislation on domestic partners should be defeated.

William J. Levada *is Archbishop of San Francisco.*

Canada's Judicial Captivity

Ian A. Hunter

From the confederation of provinces which formed Canada in 1867 until 1982, Canada was a country of parliamentary supremacy. That is not to say that Canada was governed well; sometimes she was governed well, sometimes ill, but always she was governed by the elected representatives of the people. Issues of public policy were determined by legislators who, at least quadrennially, were required to account for their policies to an electorate that had voted them into office.

The Charter of Rights and Freedoms, a by-product of then Prime Minister Pierre Elliott Trudeau's 1982 constitutional patriation package, changed that. Essentially, Canada ceased to be a country of parliamentary supremacy and became, like the United States, a country of constitutional supremacy, where the Charter of Rights and Freedoms is "the supreme law of the land." It is noteworthy that since 1982 the Canadian Supreme Court has, by and large, followed the same ideological imperatives as the American courts and in response to the same agenda. The forces propelling this agenda are both transnational and relativistic. The Canadian voter still goes to the polls quadrennially, but it is judges who have imposed abortion on demand (*R. v. Morgentaler*), who came within a single vote in the Supreme Court of creating a Charter right to physician-assisted suicide (*R. v. Rodriguez*), and who are systematically eradicating any normative distinction between homosexuality and heterosexuality (*M. v. H.*).

In Canada we have one advantage over the United States in that our Charter of Rights includes section 43, the so-called "notwithstanding" clause. This clause allows the parliament of Canada, or any provincial legislature, to override certain specified sections of the Charter, if that government is prepared to take the political heat involved in doing so. To date the only government that has demonstrated the political will to invoke section 43 has been the government of Quebec.

The problem with constitutional supremacy is that constitutions are not self-interpreting; one Ontario judge recently wrote: "Elected representatives of the people create constitutions, leaving it to nonelected judges (in Canada at least) to decide what exactly they have created." The power to interpret means that judicial hubris is inevitable, judicial tyranny an unfortunate possibility.

Decision-making by courts is the antithesis of democracy. The court is unelected, nine appointed men and women, all drawn from the same profession, milieu, and background, accountable to no one, and holding security of tenure until age seventy-five. To some extent, Canadian courts have sought to deflect this criticism by saying that judges did not seek their new Charter role; it was thrust upon them.

There is a measure of truth in this. The more significant point, however, is that even under the Charter the courts could have developed a doctrine of judicial self-restraint, as the U.S. Supreme Court has done on certain occasions. Instead the Supreme

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Court of Canada seized the opportunity to substitute its will for that of parliament on some of the most divisive social issues of the day—abortion, for example, in the *Morgentaler* case. As a result, Canada has the invidious distinction of being the only country in the Western world with no legal restrictions whatsoever on abortion.

Many Supreme Court judgments, in recent years, have ceased to have much legal content and have become instead a random collection of the judges' personal and ideological predilections. The feminist wing of the Supreme Court, led by Madame Justice Bertha Wilson, developed an explicit ideology; judges who did not defer to it were told to butt out. In her judgment in *R. v. Morgentaler,* Madame Justice Wilson wondered if men were capable of understanding abortion, or even qualified to express any opinion on the issue. In *R. v. Lavallee* she changed the law on self-defense to allow women to kill their battering spouses because otherwise jurors might accept what she called "the myth" that if a battered woman is dissatisfied, she might consider leaving home. And on the topic of myth, Madame Justice L'Heureux-Dube in *R. v. Seaboyer and Gayme* recently denounced what she called "the stereotypical myth" that men who rape women are not normal men. The corollary, which we are asked to accept as judicial truth, is that all men are potential or actual rapists.

The interesting question is why judicial interpretation of the Charter of Rights has proved so perverse? Is it, as Job prophesied, an instrument "to make the counsellors behave like idiots, and drive the judges mad"? Let me suggest three answers to this question.

First, a Charter of Rights wrongly conceives the crux of the problem. Since John Stuart Mill's essay *On Liberty* we have come to conceive of liberty in individualistic terms, a view the Canadian Charter expressly embodies. The individual needs protection against the tyranny of the majority, and so we enact a Charter of Rights to achieve that protection. But the claim to individual liberty very often masks harm to the collectivity; we are not just atomized individuals, we are also members of a community, citizens of an organized society. The individual's claim to liberty, albeit expressed in the high-minded rhetoric of rights, often conceals selfish, sometimes perverse, interests. The sanctification of Larry Flynt as a martyr to free speech is a recent case in point. The lone, brave individual standing his ground against the menacing omnipotent state was John Stuart Mill's archetype and this is powerful mythology; the sadistic criminal going free and making citizens ever more fearful, even in their own homes, is the more common reality.

Second, the Charter of Rights is pernicious in that it forestalls true political debate. The appropriate level of restraint on individual liberties is, or should be, a fundamental political question. But in Canada such debate does not occur: it is reduced to one person claiming "I have a right" to which the only response is either acquiescence or denial. Ultimately, all such issues are now resolved by courts. Such a puerile approach to deep philosophical questions does immeasurable harm to the possibility of mature political discourse. It also inflates judicial hubris.

Finally, a Charter of Rights fundamentally misconceives the problem of liberty. Our liberties are not threatened by devils in Ottawa, nor very often by "pigs" in police uniforms, nor often by tyrannical majorities; the problem is within ourselves, whether each of us can discern and live by an appropriate balance between freedom and restraint, between indulgence and self-discipline.

The lesson that Alexandr Solzhenitsyn learned in the freezing darkness of the Gulag Archipelago was that the line between good and evil ran not between nations, nor between states, not even between ideologies, but right down the center of each and every human heart. So, too, does the line between liberty and license, between rights and responsibilities. The Canadian Charter is just the most recent utopian attempt, in a long, futile, and mostly sordid history of attempts, to legislate that which cannot be legislated. Hugh Kingsmill expressed the point admirably in the Introduction to his neglected masterpiece, *The Poisoned Crown*:

> What is divine in man is elusive and impalpable, and he is easily tempted to embody it in a collective form—a church, a country, a social system, a leader, so that he may realize it with less effort and serve it with more profit. Yet . . . the attempt to externalize the Kingdom of Heaven in a temporal form must end in disaster. It cannot be created by charters or constitutions, nor established by arms. Those who set out for it alone will reach it together and those who seek it in company will perish by themselves.

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Now for Some Good News

Frederica Mathewes-Green

Ideas don't only have consequences, they have companions. For thirty years a ragtag trio has been running across the cultural landscape, linked like

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escapees from a chain gang and causing similar havoc: "sexual liberation," "economic independence," and "reproductive choice." Even as the bad news is that these notions rose and flourished together, the good news is that hints of their common fall are becoming discernible.

Take sexual liberation (i.e., promiscuity). As recently as 1989 the Centers for Disease Control found that 59 percent of high schoolers had had sex. In subsequent years, similar CDC studies showed the numbers dropping: 54 percent in 1990, and 43 percent in 1992. In 1994, the Roper Organization released a study done in conjunction with SIECUS (the Sex Information and Education Council of the U.S.), which found that only 36 percent of high schoolers had had sex.

A 23 percent drop in five years is notable, if not amazing. What's happening?

"Sexual liberation" sounded like an excellent idea in the seventies, when contraception was abundant and venereal disease rare. Why should men have all the fun? Why should there be an unfair double standard? Women's sexual desires were as strong as men's, and if they weren't they ought to be. In fact, anything men wanted ought to be what women wanted too; in the fretful and self-contradictory thinking of nascent feminism, men were scum, but their values were objects of envy.

Although hammering men for exploiting women and treating them as sex objects, feminists tacitly adopted the "*Playboy* Philosophy" of sex without commitment as the new standard for female sexuality. But gradually women began to realize it was a bad bargain. If girls give sex in order to get love, while boys give love in order to get sex, dumping free sex on the market inevitably drove the cost of love through the roof. Female bargaining power was demolished. Girls had to fling enormous quantities of sex at boys in desperate attempts to buy the smallest units of love. One teen told a friend of mine: "I slept with Rick last night. Do you think he likes me?"

Though "sexual liberation" is still viewed confusedly as something that helps women own and enjoy their sexual feelings, the negative fallout has been hard to ignore: divorce, disease, abortion, illegitimacy, and multiplying heartbreak. Free sex made women feel free in the sense that you feel free falling from a twelve-story building: exposed, vulnerable, and headed for disaster. Thus the phenomenon of "date rape," which is largely the result of uncertainty over what the current rules are for behaving "like a gentleman."

Not only are church-sponsored abstinence clubs booming, but anti-promiscuity messages are popping up in unexpected places as well, perhaps indicating the mainstreaming of the movement. A popular dating handbook, *The Rules*, advises women to refuse sex, reminding them how painful it is when last night's lover doesn't phone, and what power there is in recovering the word "No." And teens in the "straight edge" movement refuse sex, drugs, and alcohol—while dressing like punks, screaming in hardcore bands, belligerently espousing vegetarianism and animal rights, and having no discernible ties to religion.

While rising numbers of teens are saying no to sex, the most telling evidence against "liberation" comes from the kids who said yes. A survey published in the *American Journal of Preventive Medicine* in 1991 asked sexually experienced inner-city junior and senior high students what they thought was the ideal age to begin having sex: 83 percent suggested ages older than they had been. Twenty-five percent of these sexually experienced kids also said that they believe sex before marriage is wrong. (This point of view has continued to grow in popularity. The UCLA Higher Education Research Institute surveys 250,000 new college freshmen every year. In 1987, 52 percent of the students said that casual sex was acceptable; only 42 percent of the 1996 class agrees.)

In the 1994 Roper survey cited above, 62 percent of sexually experienced girls, and 54 percent of all experienced high schoolers, said they "should have waited." And, most poignant, a study published in a 1990 issue of *Family Planning Perspectives* described a questionaire distributed to one thousand sexually active girls, asking them to check off which item they wanted more information about. Eighty-four percent checked "how to say no without hurting the other person's feelings."

Of all the problems that can be caused by sexual promiscuity, the hardest to ignore is pregnancy. Unexpected pregnancy can be disruptive in many ways, but the bottom line is money: a new mouth to feed historically required the care of two, a full-time caretaker and a full-time breadwinner. Thus, if sexual promiscuity was to be practically feasible, it required that women be economically self-supporting, just in case children came along. Otherwise, a one-night stand might turn into a lifetime commitment. A lifetime commitment might be what women would prefer, but that would undermine the noble goal of "sexual liberation."

Rather than the interdependence of family life, women were exhorted to grasp the mirage of empowerment through "economic independence." As a result, having a high-paying career became the locus of meaning in life. This marked an ironic reversal at the time. The sixties were characterized by rejection of the "corporate rat race" and the material success and status that implied. Instead, we were going to get back to the land, live simply, wear tie-dyes and munch granola.

The feminism that grew out of the sixties did an about-face on this. By the early seventies, the struggle was to get women into that corporate rat race, which now looked all the more appealing for having been

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off-limits. If men wanted to spend their lives at ulcer-churning work, never seeing their kids, and dying early of stress-related disease, it must be what women wanted too. Particularly in those early days of feminism, child-rearing was disparaged as mindless work for drudges; in this, supposedly progressive women adopted the condescending and contemptuous male chauvinist attitude toward housewives, and toward the work women have done nobly for millennia. It was a wholesale rejection of women's heritage and an adoption of masculine values—values that were, in fact, not very healthy for men either.

"The two-paycheck family is on the decline," reported the financial weekly *Barron's* in 1994; "the traditional one-paycheck family is now the fastest-growing household unit." Those leading the charge are the youngest moms, between the ages of twenty and twenty-four. One says, "My mother worked; my husband's mother worked; we want our child to have more parental guidance at home." According to William Mattox of the Family Research Council, these young parents feel they were cheated by parental absence growing up, and 62 percent say they intend to spend more time with their kids than their parents did with them.

While feminists continue to wring their hands over the gender wage gap, the fact is that the gap has shrunk to 2 percent—that is, when corrected for variation in lifestyle choices. Childless men and women between the ages of twenty-seven and thirty-three earn nearly the same amount. But a great many women earn less than men because, putting child-rearing and family life first, they choose to work at less stressful and demanding jobs.

In a world where women are expected to be sexually available, but also expected to be financially self-supporting, the prevention of childbirth—"reproductive choice"—becomes a necessity. Contraception is a partial solution to this problem, but contraception fails, or participants fail to use it for one reason or another. Thus abortion becomes the necessary third link in the chain of companions.

The first year abortion was available, about three-quarters of a million were done; by 1981, the number had doubled to one and a half million. Invention was the mother of necessity: something that people had always managed without (often by turning to adoption plans or marriage) turned into such a handy solution it became nearly indispensable. At the same time, the availability of abortion took away one of women's classic reasons to turn down casual sex, and even made less urgent her insistence on contraception. ("I'll take a chance this one time; I can always have an abortion.") Thus the availability of abortion contributed to an increased rate of unwed sex, "unplanned" pregnancy, and (coming full circle) subsequent abortion. It also made it easier for career to be moved to the top of a woman's agenda, since the distraction of children could so easily be eliminated; indeed, it seemed that abortion was the course a responsible career woman was expected to take, while bearing an unexpected child was unprofessionally whimsical and selfish.

In recent years, the number of abortions has dropped slightly, and public acceptance of the procedure has dimmed. An August 1996 Harris poll found that public support for *Roe v. Wade* had slipped to 52 percent, the lowest point in a decade. The pro-choice movement had dropped nine approval points since 1992, while the pro-life movement had risen five. Polls by CBS News/*New York Times* can be compared as well: in 1989, 40 percent of respondents agreed that "abortion is the same thing as murdering a child." In 1995, that figure had risen to 46 percent.

But that's not the most startling element to the story. In the later CBS poll, one particular age group emerged as the most likely to call abortion murder; they raised the average ten points, to 56 percent. The age group wasn't pious behind-the-times grannies. It was young adults, ages eighteen to twenty-nine.

Roe v. Wade is now twenty-four years old, which means that every person in America under the age of twenty-four could have been aborted. Of course, a great many were; the ratio has hovered around two or three births to each abortion, and over those years some thirty-five million children were lost. High school and college students can imagine every third or fourth classroom chair reserved for the ghost of an aborted would-be friend or sibling. They know themselves to exist only due to their parents' choice, not due to any inherent value or dignity of their own. Thoughts like these can radicalize.

A study in the April 1992 *Family Planning Perspectives* stumbled over a tendency of teens to oppose abortion. Authors Rebecca Stone and Cynthia Waszak were dismayed to find that the "vast majority" of adolescents in focus-group studies were united in believing abortion to be medically dangerous, emotionally traumatic, and wrong. This finding transcended ethnicity, income level, and gender. Indeed, the young women were even more "judgmental of other women's motives" than the young men, with some opposing abortion even in the case of rape, or alleging that a rape exception would induce some women to lie.

Contraceptive failure was not seen as justification for abortion, since the possibility of conception came with the choice of having sex. Abortion was called "selfish" and "a cop-out," and associated consistently with words like "murder," "blood," and "death." The authors attribute this to successful propagandizing by an "intensive antiabortion campaign" (implausibly implying that these kids haven't had sufficient exposure to the arguments for "choice"). Participants believed that life begins at conception, and the right solution to an unexpected pregnancy was having the baby: "Anything's better than killing it," one said.

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While reading this study one can almost hear the authors wringing their hands. Though they certainly intended to listen, not lead, in the focus groups, glimpses of ideology struggling against professional retraint slip through. One young woman reminds the group of something the author/facilitator had said earlier: "Religion is legal; we have our choice. Abortion is legal; they have their choice." Perhaps under the influence of such encouragement, most of the adolescents do affirm legal access to abortion (while presuming erroneously that it is presently illegal nearly everywhere, and under nearly all circumstances). In this they reflect the prevalent American compromise: abortion is wrong, but it should be legal. What distresses the authors is the fervency and obstinacy with which the teens think it is wrong; this may "guide their votes later." (Indeed, the UCLA study of college freshmen found that in 1990 65 percent believed abortion should remain legal, but by 1996 only 56 percent agreed.)

For all three of these links in a chain of consequential ideas—promiscuity, careerism, and abortion—an inevitable return to balance and health is beginning to occur. In all three cases, the way is being led by teens and young adults, the most encouraging sign of all. What is eliciting such a change is a matter of speculation; perhaps it's the undeniable evidence of past failure, the dawning of reality, a deeper understanding of what really satisfies in life, or a renewed respect for the guidelines offered by biology.

Or maybe it's something else. The authors of the study cited above blamed "antiabortion views, conservative morality, and religion" for forming the teens' attitudes, and throughout the discussions religion did keep rearing its threatening head. The authors report, in a mix of headscratching bewilderment and dread: "Many of the participants described having personal relationships with God, and some quoted Scripture and said God was the only source of the right advice." The following conversation is quoted:

"A male participant said, 'At the end, legal or illegal, at the end you are gonna pay consequences. Not to man but to God. 'Cause the Bible warns you of what's gonna happen.'

"A young woman added, 'Judgment Day.'

"The young man replied, 'Exactly.'"

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Cosmos

Before I die I'd like
to understand this world.
(I grow ambitious as I read my words.)

While mind remains I want
to trace the moral circuit
that lights the star-laced universe,

that golden thread
with a core of steel
drawn taut through time
to the far frontier of mortal reach,

seeking the infinite
of our finite thought,
the polar star that some
call God.

André Ryerson

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End No-Fault Divorce?

Maggie Gallagher / Barbara Dafoe Whitehead

YES: Maggie Gallagher

Recently I proposed that states require a five-year waiting period for a contested no-fault divorce. If you want a quick, no-fault divorce, such a law would say to anyone contemplating divorce, you are going to have to negotiate with the man or woman you married in order to get it.

The idea provoked quite a bit of mail that fell rather neatly into two categories: applause from spouses who had been abandoned, and outrage from spouses who had ended their marriages.

This was not a gender divide. I received anguished letters from both men and women who felt their lives have been ripped apart by no-fault divorce. And I received at least as many letters from women as from men who simply could not understand the reasoning behind such a proposal.

"What good excuse would keep a person in an unhappy, unrewarding relationship?" asked one respondent, a woman who left a twenty-five-year marriage because she was "tired of trying to please, gain love, do the 'right thing.'" "Would it be denial of a problem?" she asked. "Would it be financial gain, would it be 'for the children,' would it be for all the wrong reasons? My question—why would an unwanted spouse wish to stay in a marriage? What is, therefore, wrong with no-fault divorce?"

This is a common sentiment among Americans, one strategy we employ to resolve the moral conflict between two spouses, one of whom wants a divorce and the other does not: You want to hold onto someone who doesn't want you any more? What kind of loser are you?

On the other side, another woman wrote to tell me of her husband's decision to divorce her: "At age fifty-seven, he announced he would seek a divorce. All my dreams, hopes, and looking forward to some well-earned 'golden time' were dashed and smashed to smithereens. Our thirty-seven-year marriage was to be erased. My former standard of living was obliterated and can never be reached again." "Our laws," she complained, "do not differentiate between four months or forty years."

Nor do they differentiate between a woman who wants to leave an abusive husband and a man who wants to trade in an aging wife. Our laws make no distinctions at all, because no-fault's primary purpose is to empower whichever party wants out, with the least possible fuss and the greatest possible speed, no questions asked.

The right to leave ASAP is judged so compelling that it overwhelms the right to make (and be held responsible for) our commitments. For twenty-five years we have talked and written and legislated about no-fault divorce as if it represented an increase in personal choice. As the letters I received from divorcees suggest, this is a simplification and a falsification of our experience with no-fault divorce. For in most cases, divorce is not a mutual act, but the choice of one partner alone. "We might expect that both partners would be ready to end the relationship by the time one leaves," note family scholars Frank F. Furstenberg, Jr. and Andrew J. Cherlin in their book *Divided Family*. "But the data suggest otherwise. Four out of five marriages ended unilaterally."

No-fault divorce does not expand everyone's personal choice. It empowers the spouse who wishes to leave, and leaves the spouse who is being left helpless, overwhelmed, and weak. The spouse who chooses divorce has a liberating sense of mastery, which psychologists have identified as one of the key components of personal happiness. He or she is breaking free, embracing change, which, with its psychic echoes of the exhilarating original adolescent break from the family, can dramatically boost self-esteem.

Being divorced, however (as the popularity of the movie *The First Wives' Club* attests) reinforces exact-

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ly the opposite sense of life. Being divorced does not feel like an act of personal courage, or transform you into the hero of your own life story, because being divorced is not an act. It is something that happens to you, over which, thanks to no-fault divorce legislation, you have no say at all.

The spouse who leaves learns that love dies. The spouse who is left learns that love betrays and that the courts and society side with the betrayers. In court, your marriage commitment means nothing. The only rule is: Whoever wants out, wins. By gutting the marital contract, no-fault divorce has transformed what it means to get married. The state will no longer enforce permanent legal commitments to a spouse. Formally, at least, no-fault divorce thus demotes marriage from a binding relation into something best described as cohabitation with insurance benefits.

What have we gotten in exchange for this sweeping abandonment of the idea that marriage is a public, legal commitment, and not merely a private exchange of sentimental wishes? When in the 1970s and early 1980s no-fault divorce swept through state legislatures, its advocates promised us two great benefits: (1) no-fault would reduce conflict, as spouses would no longer be forced to assign legal blame for the marriage's end, and (2) no-fault would enhance respect for the law, as couples longing for a divorce would no longer have to commit perjury, lodge false accusations of adultery, to get one.

In this sense, as Herbert Jacob points out in his excellent history, *Silent Revolution*, no-fault divorce was the brainchild of elites who consistently portrayed it as a mere technical adjustment to the law, a minor change that would in no way endanger marriage or encourage divorce, but merely close the gap between the law in theory and the law as it was actually practiced.

In reality no-fault divorce laws did something decidedly more revolutionary. Rather than transferring to the couple the right to decide when a divorce is justified, no-fault laws transferred that right to the individual. No-fault is thus something of a misnomer; a more accurate term would be unilateral divorce on demand.

The idea that couples who wish to divorce should be able to do so without making false accusations is now uncontroversial. Even the most aggressive of the new divorce reforms to restore fault recently proposed in Michigan permits couples to dissolve their marriages quietly and amicably, by mutual consent. The idea that marriage is a covenant larger than the two people who make it has already been lost.

What the current no-fault debate revolves around is the lesser question: Is marriage *less* than a legal contract between two people? Is the marriage contract enforceable, and if so how? When we marry, are we making a binding commitment or a fully revokable one (if "revokable commitment" is not an oxymoron)? If the latter, what is the difference, morally and legally, between getting married and living together? Why have a legal institution dedicated to making a public promise the law considers too burdensome to enforce?

As for no-fault's second promise—to lower the conflict around divorce—I defy anyone but a lawyer to come to that conclusion. Lawyers like no-fault divorce because it moves much nasty human conflict out of their sight. When a wife comes crying that her husband is leaving her for the new blonde in sales, the lawyer's job is now simply to interrupt and say, "Get over it." That is no longer a legally relevant fact. No-fault divorce may have lowered the status of marriage, but at least it improved the working conditions of divorce lawyers.

Meanwhile our social landscape is littered with the cruelties, large and small, divorcing partners inflict on each other under the purest of no-fault statutes. In my own small circle of close friends and family, I have seen a husband deny his wife blankets for her bed; I have seen one of the kindest, most generous women I know greet her husband with an unrelenting stream of obscenities for weeks on end; I have known a husband call his wife a whore in front of the kids; I have seen a gentle man with no previous hint of violence savagely beat his departing wife.

These are on top of the intrinsic cruelty of divorce itself; of saying to the one person one promised to love forever, I'm not going to care for you any more. Constance Ahrons' 1994 book *The Good Divorce* is a decidedly optimistic account of middle-class divorced couples. Yet she found that just 12 percent of divorced parents are able to create friendly, low-conflict relationships after divorce. Fifty percent of middle-class divorced couples engage in bitter, open conflict as "angry associates," or worse, "fiery foes." Five years afterwards, most of these angry divorced remain mired in hostility. Nearly a third of friendly divorces degenerate into open, angry conflict.

These statistics are matched by what Judith Wallerstein found in her (nonrandom) sample of mostly middle-class couples: Ten years after the divorce, fully half the women were still very angry at their ex-spouse. "True, some couples were no longer standing in the same kitchen screaming at one another; they were screaming on the telephone instead," points out Wallerstein in her 1989 book *Second Chances*.

The theory that the anger and hurt generated by divorce is somehow the product of what happens for a few days in the courtroom is based on a remarkably shallow, improbable reading of the human heart. If anything, no-fault divorce shifted the long-drawn-out legal battles from fault grounds to custody, which is surely to no child's advantage.

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As the argument that it lowers conflict suggests, no-fault divorce represents an historic transfer of our cultural allegiance from the institution of marriage to the institution of divorce. Where once we seriously fretted over the possibility of breaking up marriages, today we are far more concerned about the dangers of discouraging divorce. When divorce reformers in Michigan proposed banning no-fault divorces, except where both spouses consent, they found that promising a lower divorce rate carried little political weight—not just because opponents disputed the claim, but because lowering the divorce rate is not widely accepted as a legitimate goal of government policy. What did move legislators was the fear that a fault requirement might intimidate some victims of domestic violence from leaving abusive marriages.

Despite the large logical gaps in the argument, the fear that reforming no-fault divorce might somehow endanger abused women is widely shared. In a *New York Times* column endorsing no-fault divorce, Barbara Dafoe Whitehead, for example, worries that reform would "shred" the "safety net for battered wives."

This would be, if true, a serious charge. Those who make this argument do so by simple assertion, offering little evidence that battered wives have benefited from no-fault divorce. One might equally well suppose that, given the role economic dependence may play in chaining abused women to their tormentors, no-fault divorce facilitates domestic violence by failing to recognize and punish men financially for their marital crimes.

But the more one learns about the crime of domestic violence, the less likely it seems that the formal mechanisms of divorce law have much influence one way or another in helping women escape their batterers. For one thing, most batterers are not husbands. A 1991 Justice Department survey, for example, found that more than two-thirds of domestic violence offenders were boyfriends or ex-spouses, while just 9 percent were spouses. Cohabitating women, according to one review of the literature, are four times more likely to suffer severe violence than married women.

It is not a marriage license that gives batterers their hold over their victims; men willing to exert brutal physical control over women don't depend on the fine print of divorce laws for their power. Remember Hedda Nussbaum? The fact that she was not legally married to Joel Steinberg didn't prevent her from being battered into becoming a passive participant in her own daughter's murder. Nor should we be deluded into accepting the notion that a piece of paper called a divorce will protect abused women from their batterers. Who can forget Nicole Brown Simpson?

Yet the idea that enforcing the marriage commitment may hurt abused women is one of the founding myths of the divorce culture. Though advocates now use this argument to oppose legal reforms, they used it with equal facility in the 1970s to attack the tattered remnants of social disapproval of divorce. Any barriers to divorce—moral, legal, or cultural—must be ripped away, this argument implies, lest they discourage some woman somewhere from leaving an abusive man.

Of course in America from its earliest history, outrageous conduct on the part of a spouse has always been considered grounds, both legal and moral, for a civil divorce. Divorce advocates reject the obvious alternative—incorporating contemporary views of domestic violence into both our legal and moral framework for divorce—as insufficient. But once we accept the divorce advocates' false first premise—that marriage puts women at special risk of abuse—it becomes hard to stop the gradual dismantling of marriage as a protected social, moral, economic, and legal relation. For accepting the argument from domestic violence implies a false and dangerous corollary: that weakening marriage as an institution somehow protects women as a class.

Could there be any relationship between the embrace of no-fault and the rise in divorce? Until recently, academic researchers said not. "Nearly every study of divorce and the law has concluded that legal changes have little or no impact upon the rate of marital dissolutions," wrote social historian Elaine Tyler May in *Great Expectations: Marriage and Divorce in Post-Victorian America* (1989), repeating the conventional scholarly wisdom. But evaluating the effect of law on divorce rates turned out to be tricky. Not only do state statutes vary, but different states changed different aspects of divorce law. Some states merely added no-fault to other grounds for divorce. Others abolished fault altogether. Still others cut waiting periods.

Many of these earlier studies assumed all the changes lumped under the no-fault rubric had the same effect on divorce rates. Moreover, in many cases states officially passed no-fault laws only after judges had already effectively changed the law to ease divorce. In these cases, statutory changes merely codified what the common law practice already was. To add to the confusion, many other states were suddenly labelled "no-fault" states not because the law had changed but because they were added to a catalog of no-fault jurisdictions assembled for a 1974 listing in the influential *Family Law Quarterly*. Since early researchers sometimes relied on this listing as definitive evidence of when states adopted no-fault (when in fact the law had not changed or had changed much earlier), they concluded (naturally but wrongly) that the law had no effect on the divorce rate.

Several recent studies, however, confirm what common sense suggests: Changes in divorce law did increase the divorce rate. No-fault divorce laws may

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account for somewhere between 15 and 25 percent of the increase in divorce that took place in the seventies.

In other words, while there are many social and economic factors conspiring to weaken our marriages, no-fault divorce laws have pushed us over the edge from being a society in which the majority of marriages succeed to one in which (according to demographers' estimates) a majority of new marriages will fail. When divorce is made quicker and nonjudgmental, more marriages fail. And the story about marriage contained in the law—of marriage as a temporary bond sustained by mutual emotion alone—is becoming the dominant story we tell about marriage in America, eclipsing older narratives about stubborn faith and commitment, "till death do us part."

No-fault divorce is thus both a cause and a symptom of our current marriage crisis. When the law treats divorce as a unilateral right of one partner, culture can hardly take seriously the moral claims of marriage. Similarly, when as a culture we begin to reclaim the lost ideal of marriage, we will certainly change our marriage laws to match.

How will we know when America has begun to rebuild a culture of marriage? When the terror of a divorce delayed pales in our minds in comparison to the horror of seeing an innocent spouse dumped—then and only then will Americans have escaped the divorce culture we now inhabit.

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NO: Barbara Dafoe Whitehead

As a critic of contemporary divorce, I am eager to find ways to curb the American appetite for divorce. Our high divorce rate cannot be sustained for another thirty years without incurring unsupportable social costs and casualties.

Even so, I do not favor legislation to restore fault to the divorce process. To be sure, no-fault divorce law is nothing to brag about. Intended to simplify the administration of divorce, it has unintentionally led to a legal system of divorce on demand. Nonetheless, it does not follow that the repeal or reform of no-fault divorce will be effective as a deterrent to divorce in general. Indeed, at this moment in time, I believe a fault requirement would do more harm than good.

In the short term, the obligation to establish a legal finding of fault may deter some divorces, encouraging couples who are wavering over a decision to divorce to work out their marital difficulties. But the deterrent effect is likely to be weak. Most people do not contemplate divorce until their marriage is in very bad shape; by then, clergy and therapists say, it is very difficult to salvage the marriage. The fault barrier comes too late in the divorcing process. Moreover, the deterrent effect of a fault requirement would also be indiscriminate. Some marriages will be preserved that probably should end, including those that involve physical violence and abuse. Unfortunately, fault is likely to be most successful in deterring socially isolated and timorous women, often battered wives, from seeking divorce. It would be a cruel irony indeed if a pro-marriage policy unintentionally became a pro-bad-marriage policy, giving aid and comfort to the critics of the institution.

Fault law invites litigiousness as well, and thus intensifies and prolongs conflict. In conversations with men and women working in family court, I find many critics of our current system of divorce. But I have yet to find anyone who thinks fault divorce would reduce litigation or lower conflict. Requiring fault would be bound to hurt the children who will be caught in the crossfire. If we have learned anything from thirty years of high divorce, it is this: When divorcing parents have legal incentives to fight, they will. And fault gives them yet another incentive. Inevitably, children will be recruited as informants and witnesses in the legal battle to establish fault. The fault finding may also be exploited to prejudice or interfere with the child's attachment to the "at-fault" parent. Of course, this ugly practice of blaming and discrediting the other parent goes on under no-fault divorce law, but fault will provide legal justification for such behavior.

Moreover, establishing fault in contested cases would require more aggressive and time-consuming litigation and thus more billable hours from lawyers, therapists, private investigators, pension specialists, expert witnesses, and all the others in the divorce industry. This will create financial constraints and burdens for those who can least afford it. The Ivana Trumps of this world may have the resources to fight a protracted fault battle (and to win some of its spoils) but not the average first wife, especially if she has spent her life as a full-time wife and homemaker. Since most legislation limits fault to contested divorces involving children, children are likely to be the biggest economic losers. Marital assets will be squandered and dissipated in fault battles, leaving fewer resources for the maintenance and care of the children after the divorce.

Over the long term, proponents of fault argue, higher barriers to divorce will increase commitment to marriage. If divorce is harder to get, couples will try to maintain high-quality marriages from the outset. This argument is appealing in the abstract. But it is less persuasive in the concrete, especially when we consider the cohort that will probably be most deeply influenced by the reintroduction of fault: young adults approaching marriage for the first time.

One of the most disastrous consequences of the divorce revolution often goes unacknowledged.

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Today's young adults, many the children of divorce, are more ignorant and wary of marriage than any earlier generation in the nation's history. Those who grew up with divorced parents have little practical knowledge of marriage and thus are two to three times more likely to divorce than their generational peers who grew up in married-parent households.

But the problem goes beyond that. There has been a nearly total breakdown in the capacity to transmit a usable body of thought and practice on marriage to the next generation. The cultural infrastructure that once existed to guide and instruct young adults in marriage has collapsed. Today's young adults are slouching toward marriage in a profound state of cluelessness about its requirements and rewards. Many know nothing about marriage other than what they gather by looking around. The percentage of young adults who agree with the statement "One sees so few good marriages that one questions it as a way of life" has increased steadily since the 1970s, while the percentage of those who believe they will be married for a lifetime has declined over the same period.

For a generation so worried and confused, the impact of fault law is more likely to discourage marriage than encourage it. Reseacher Scott Stanley has identified two crucial dimensions of marital commitment: dedication and constraint. Both are effective in sustaining marriage, especially if they work in an appropriately complementary way. But constraint alone can lead to resentment and a feeling of being trapped, Stanley says. To use the law to intensify constraint at a time when we have abandoned any effort to strengthen dedication to marriage is to further dishearten young adults. Experience tells them: Odds are, your marriage will fail. Fault law says: The state will keep you married for better or worse. Far from encouraging marriage, therefore, fault law will likely have the opposite effect. Young adults will interpret legal restrictions on divorce as yet another reason to avoid marriage. In short, fault law may further weaken and undermine the commitment to marriage, the very institution it intends to save. Worse, it sends a glum and dispiriting message to a generation already deeply pessimistic about the chances for lasting marriage.

There is a yet larger problem posed by fault law. It seeks to reassert institutional authority over marriage in a society where that authority has broken down elsewhere. This is an understandable response to our current plight. But the single-minded focus on fault law is misplaced. It misidentifies (and underestimates) the nature of the problem—which is not the breakdown of legal authority over marriage and divorce, but something that lies outside the domain of the law.

The divorce revolution was a cultural rather than legal phenomenon. It grew out of a historic transformation in ideas and practices regarding sex, marriage, and parenthood. This transformation involved a complex set of social, economic, and cultural factors, but a key element was the introduction of a new psychotherapeutic ethic governing family life. According to this ethic, individuals had a primary obligation to pursue their own emotional well-being in family relationships and especially marriage. Accordingly, a good marriage was one that promoted individual emotional well-being and a bad marriage was one that at least one spouse deemed unsuccessful in achieving this goal. This ethic created a new way of thinking about the meaning and purpose of divorce as well. Once considered a last resort remedy for an irretrievably broken marriage, divorce became the psychologically healthy response to marital discontents. As the cover story in a recent *Esquire* magazine proclaimed: "Divorce is good for you."

The new psychotherapeutic ethic led to the social deregulation of divorce. It held that no institution or individual (including a dependent child) should stand in the way of the individual's pursuit of psychological health. As a consequence, traditional institutional authority over marriage collapsed, extralegal barriers to divorce came down, and the divorce rate began to rise steeply, with the results we all now know.

No-fault divorce laws lagged nearly a decade behind these cultural changes. The states adopted no-fault divorce laws in the 1970s in an effort to bring legal norms into closer conformity with the more permissive extralegal norms. If divorce was a vehicle for the pursuit of individual emotional well-being, then there was no legal rationale for holding one spouse blameworthy. The best the law could do was to treat divorce as a procedural matter and make the process as simple as possible.

The point is this: There is a close and dynamic interplay between legal and extralegal norms governing marriage and divorce. Although they are not identical, they work in a complementary way to support a commonly shared set of values, ideas, and practices. Legal sanctions will not curb divorce in a culture where extralegal permissions remain in full play. Consequently, we must be skeptical of the claim that more restrictive fault law will join together what the larger culture has so relentlessly put asunder.

Indeed, if legal norms are radically at odds with the prevailing extralegal norms, they will be rejected as coercive and punitive, something to be evaded with the help of a clever lawyer. As long as Americans continue to view divorce as an individual and psychological event, ungovernable by any outside institutions or norms, fault law will be rejected. And, indeed, this is the case. Fault legislation has failed to win approval in every state where it has been proposed. The resistance appears specific to fault. Surveys indicate that there is public support for efforts to curb divorce through reforming divorce law. Other

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measures, such as legislation to extend the waiting period before divorce is granted, have been adopted in some states. Of course, political failure is not always a compelling reason to give up on a worthy cause, but it may recommend a rethinking of tactics.

If efforts to use the law to curb divorce and strengthen marriage are ineffective, what will work? Two likely paths present themselves. Both reside within the cultural realm. One is to encourage those who have been the traditional teachers and norm-setters in marriage—women and clergy among them—to return to the side of marriage. In the past thirty years, many have defected to the divorce culture and become the leading teachers and norm-setters in divorce. If the custodians of a marriage tradition were to shift their allegiances, then things might change for the better.

But for the moment, I see few signs that this is happening. The commitment to divorce is too strong and enduring. For the most part, women remain stalwart defenders of divorce. Even more significantly, American women today are more disenchanted with marriage than any time in the past. Although the vast majority of women aspire to motherhood, they are increasingly willing to go it alone, without marriage. More than 60 percent of young women ages eighteen to twenty-four agree with the statement that "one parent can bring up a child as well as two parents." (Only 35 percent of young men agree.) Traditionally, mothers shape children's ideas about marriage and family; it is noteworthy, therefore, that today's divorced mothers have more negative views of marriage and more positive views of divorce than their continuously married or even remarried counterparts. A young woman I met at a church-sponsored gathering told me: I want to be married someday, but my mother is a single parent and she talks against marriage.

The religious community has long had responsibility for transmitting a body of thought and practice on marriage to the young, but over the past three decades many denominations have shifted attention away from marriage preparation and enrichment to two intensely polarizing issues: abortion and homosexuality. Organizations such as the nondenominational Focus on the Family, and lay marriage and family movements such as "Marriage Encounter" in the Roman Catholic Church and the "Family Home Evening Program" in the Morman Church have continued the work of marriage enrichment and preparation. Nonetheless, the retreat from preaching and teaching about marriage, especially among liberal Protestant denominations, has been one of the more remarkable and unremarked-upon changes in American religious life in recent years. Many churches are simply afraid to upset the divorced faithful. One divorced mother told me: "My husband left me for another woman. She left her husband to marry mine. Together, they broke up two marriages, involving five children. Yet my ex-husband and his new wife come to church and sit together while I sit alone, and my church is afraid to say that this is wrong." Some clergy permit engaged couples to excise the pledge to marital permanence from their marriage vows. They join couples together in holy matrimony under the new dispensation to marry "for as long as you both shall love."

The other path to rehabilitating marriage is more promising. It arises within psychotherapy, a discipline that has profoundly shaped the American way of divorce. One of the most encouraging and surprising turnabouts comes from within the discipline of marital therapy, where a serious effort at rethinking therapeutic practice is now under way. William Doherty, a leading voice in the discussion, criticizes the bias against marriage among many marital therapists and condemns the language of individual self-interest that pervades therapeutic practice. Family therapists are also recanting. Best-selling author and therapist Mary Pipher writes: "In the late 1970s I believed that children were better off with happy single parents rather than unhappy married parents. I thought divorce was a better option than struggling with a bad marriage. Now I realize that, in many families, children may not notice if their parents are unhappy or happy. On the other hand, divorce shatters many children." Reflecting on the lessons of his clinical experience, a marital therapist concludes: "If we stay in denial [about divorce's effect on children] and refuse to recognize divorce's cancerous effect on society, we may experience a shredding of the social fabric that may take decades to repair."

Divorce is not a positive or liberating experience for everyone involved, many therapists now acknowledge. It may improve the well-being of the spouse who seeks it, but it does damage to others: the spouse who does not want to divorce, parents, grandparents and other relatives, and especially dependent children.

This new view has helped inspire and support a marriage-saving movement; a conference in Washington in May brought together many of its leaders to begin work on a new marriage-saving practicum. Research studies have identified the factors most predictive of divorce, and some researchers have developed new methods and skills-building techniques to help couples communicate and resolve differences. Follow-up studies show positive results: couples trained in these skills show lower levels of marital dissatisfaction and breakup than others who do not have such preparation.

The marriage-saving movement is notable as much for its location as its substance. It is springing up most conspicuously within the well-established boundaries of the psychotherapeutic culture. This movement offers a set of ideas and practices that are consistent with today's psychological orientation to

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marriage. It accepts the popular notion of marriage as a "couples relationship"; its pragmatic aim is to improve marital satisfaction, one couple at a time, mainly by helping couples acquire better communication and conflict-resolution skills. The particular strength of the movement is that it builds upon a well-established secular strain of thought about marriage. Especially in this century, Americans have regarded marriage as an arrangement primarily designed to enhance the mutual satisfaction of the adults.

And, indeed, this is one of the reasons why the marriage-saving movement will catch on while fault-finding legislation will not. If one wishes to change the culture, then it is important to identify going cultural enterprises. In a psychotherapeutic culture, where any normative declaration invites resistance and protest as an infringement on individual rights and freedoms, a "can-do" approach always beats a "can't-do" approach. The marriage-saving movement offers a message that is competitive with *Esquire*'s advertisement for divorce. It says: "Marriage is good for you."

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Timor Mortis

Death is the night watch — death is the waker,
The waiter, the wanter — the watcher of sleep.
Death is the break — death is the breaker,
The wake of the sleeping — the waking of sleep.

Down in the hole — the creaker is turning.
Down in the hole — he starts up awake.
The frost on his fingers — cracks in his yearning.
The blood of the sparrows — streaks on his face.

The flinch of the doe — as she drinks at the river,
The twitch of the owl — the flutter of mice:
Death is the sudden — shrill in the shiver,
The shudder, the stutter — the stand-still of night.

Down in the hole — the hunger is calling,
The belly, the bone-home — the empty of earth.
Down in the hole — the sleeper is falling:
The clutch of the bellman — the caller to church.

Death is the night watch — death is the waker,
The waiter, the wanter — the watcher of sleep.
Death is the break — death is the breaker,
The wake of the sleeping — the waking of sleep.

J. Bottum

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Suicide Is Not a Private Choice

David Novak

The right to privacy has both positive and negative connotations for those who consider themselves part of the natural law tradition. On the one hand, a significant part of the experience of political totalitarianism in this century has been the total disregard for human privacy. The intimacies of family, religion, and friendship—traditionally outside control by the state—have been systematically invaded by totalitarian regimes. On the other hand, certain prominent forms of liberalism, with roots stretching back to the beginnings of modernity, have elevated privacy to the foundation of all rights and duties. In the radically individualistic claims made for privacy by many liberal theorists, we see the introduction of a dangerous idea of autonomy or practical self-sufficiency into political discourse.

Classical views of privacy are not based on the basic self-sufficiency of the individual. Every individual is a person necessarily imbedded in a range of multiple relations, and therefore, no one is really independent in anything but a relative sense; no one is truly autonomous. Autonomy can only be the property of God who is capable of *creatio ex nihilo*. It is a property no creature should attempt to achieve, let alone assume it already possesses. To view any individual as being independent of relationality is like viewing a point outside of a line, a line outside of a figure, a figure outside of a body.

Privacy itself is thus a relative term in the classical view. I have a right to privacy *from* the state in certain aspects of my family life (such as the choice to marry, the choice of whom to marry, the choice to have children, the choice to limit the number of children, etc.) because it would be an unwarranted extension of the authority of the state as a public institution to invade an area of human existence that it must largely leave alone if that area is to remain intact. The state's right to invade this area of human relationship is justified only when it can be shown that rights beyond the realm of familial authority are being violated, as, for example, when children are being abused. The same would be the case in friendship: The state cannot determine who my friends are to be without simultaneously destroying the realm of friendship altogether. The state's right to invade this area is justified only when it can show that rights beyond the realm of friendship are being violated, as, for example, when friends are conspiring against the safety or integrity of the society itself. And the same would be the case in religion. The state has no right to determine how I am to worship or not worship God without simultaneously destroying the free assent to faith (which always implies the free rejection of any faith or some one faith) that faith itself, as distinct from conventional religious behavior, seems to require for its very integrity. The state's intervention is justified only when it can show that rights beyond the realm of any religious community are being violated, as, for example, when people are being held prisoner in religious communities or being subjected to other forms of abuse. In all of these cases, we do see an affirmation of the freedom of choice, but we do not see the foundational autonomy that many liberals have seen as the ground of both freedom and responsibility.

Even though the term "autonomy" is usually taken in its Kantian sense (where moral law is self-legislation), the foundational autonomy of which I am now speaking is far more radical. Kant believed in the correlation of moral right and moral duty, and he did so based on his view of human nature and its essential sociality. Foundational autonomy asserts instead that in the most fundamental practical sense I am my own creator, which means that at the core I am alone. As such, I am free to do whatever I please. My nature

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is essentially amoral; it is coequal with my power. Thus my privacy is myself; everyone else is in truth a stranger.

In this view, my public involvement is a necessary evil, whose value is purely instrumental. Public responsibility is that limit on my activity I am willing to negotiate with others in society in return for a mutual nonaggression pact among ourselves called the social contract. It is, in effect, a delayed gratification: I take less now in order to be able to keep it longer. The state is what we establish in concert to make sure that no one can cheat on this contract with impunity. But since such private, selfish persons cannot expect any trust from one another, and thus cannot constitute a community *between* themselves, they must create the state as an external institution (heteronomy) that stands *over and against* its citizens in their privacy (autonomy)—just as a police officer stands over and against potential criminals in order to frighten them into obeying the law. And because institutions and their bureaucrats have a way of quickly developing institutional interests of their own, the citizens whom they regulate subsequently develop as much distrust of this external, alien institution as they have for each other as potentially dangerous strangers.

How much this political bargain costs me in terms of my private power, which is now constituted as my "natural right," runs the gamut from the maximalism of Thomas Hobbes to the minimalism of Robert Nozick. But for everyone who holds some version of this view, my relations are not what I am already imbedded in but what I am able to create by and for myself, for nothing—not even God—transcends me.

Many constitutional scholars question the existence of a "right to privacy" in the United States Constitution. But the right is nonetheless at the heart of the 1973 Supreme Court decision in *Roe v. Wade* that permitted elective abortion in our society. *Roe* became so quickly institutionalized because it reflects a philosophy held by many in our society (whether "liberal" or "conservative") that the greatest right is the right to privacy and that the power of the state must regard itself as a means thereto. As Justice Brandeis once put it, it is the right "to be let alone."

Nevertheless, despite its notoriety, *Roe* does not present the most difficult moral challenge. Until recently, those in favor of elective abortion in our society confined their arguments to the question of the personhood of the fetus. By arguing that the fetus' lack of separate bodily space from that of its mother makes it part of her own body, they concluded that abortion was a crime without a separate victim, hence by the criteria of foundational privacy, no crime at all. By implication, however, if it could be shown that the fetus is a separate life from that of its mother (for example, having its own genetic code from the time of conception), then even by liberal criteria there would be a crime with a real victim, hence prohibited by the social contract with its minimal requirement of protection of innocent persons.

What has emerged of late, however, is something that natural law adherents opposed to elective abortion have long suspected: the real reason behind the liberal enthusiasm for elective abortion is precisely that it is "elective." In other words, personal liberty, located in the right to privacy, is now presented as being more important than even the protection of innocent life. Thus some advocates of abortion on demand are now admitting that the fetus might very well be more than a part of the body of its mother but, nevertheless, because it is dependent on its mother for its life, she has the right to end that life if it interferes with the exercise of her own personal liberty. Of course, here the supposed line drawn between abortion and infanticide disappears.

That has created some degree of pause in the debate so far, it seems. If dependence on another disqualifies one from the protection of society, as in the case of the infant's dependence on its mother's body and the infant's dependence on the attention of its caregiver, then where do we locate just who is not dependent on others? Is independence as liberty only the property of those who have the power to defend themselves? If that is the case, then even for radical liberals the social contract has been irrevocably broken. No one would be safe any more. Any distinction between right and might would thereby be destroyed.

Extending *Roe v. Wade* to permit infanticide admittedly requires the introduction of some additional premises. But the precedent of *Roe* is logically sufficient to justify what is now called "physician-assisted suicide." And, indeed, this was done in the decision of the U.S. Court of Appeals for the Ninth Circuit that declared the Washington State law prohibiting physician-assisted suicide to be unconstitutional on the grounds that it violated the guarantee of personal liberty in the Fourteenth Amendment to the Constitution. Though the Supreme Court on June 26 unanimously reversed the Ninth Circuit, this is exactly the same constitutional ground that *Roe* invoked. In a case where the killer and the killed are one and the same person (the physician being only an authorized agent of the suicide), the connection to a general protection of personal liberty is actually easier to make than in a case where, conceivably anyway, the one being killed is an actual victim of the aggression of a second party.

In the case of abortion there is a possible separation between criminal and victim, something punishable crime presupposes, which is not the case with suicide. Thus even the Talmud, basing itself as it does on biblical doctrines regarding divine creation and ownership of the universe, does not make attempted suicide a punishable crime even though it

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is prohibited. For to do so would be to punish a victim as much as a criminal. But because suicide itself is prohibited, those assisting in a suicide are to be punished on the grounds that "there is no agency for sin."

But is suicide an act one ever does entirely alone? Could we not view suicide an an act that involves the interrelationship of three parties: the individual person, the human community, and God?

A place to begin is Aristotle's brief discussion of suicide in the *Nicomachean Ethics*.

> Now when a person kills himself in a fit of anger, he acts voluntarily in violation of right reason; and that the law does not permit. Consequently, he acts unjustly. But toward whom? Surely toward the state, not toward himself. . . . That is also the reason why the state exacts a penalty, and some dishonor is imposed upon a man who has taken his own life, on the grounds that he has acted unjustly toward the state. . . . Justice and injustice always involve a plurality of persons.

Now this passage deals only with the relationship between the individual human person and the state, which is the institution of fullest human community. However, if we look at a strikingly similar passage from Aristotle's teacher Plato, in the *Laws*, we see the relationship of humans and God as well as their relationship to a community included. The striking similarity of the two passages enables one to interpret them in concert.

> Now he that kills the person who is, as people say, nearest and dearest of all, what penalty should he suffer? I mean the person who kills himself, violently robbing what Fate has allotted, when this is not legally mandated by the state. . . . The tombs of such persons shall be isolated.

The notion that suicide, as the most extreme exercise of the right to privacy, is an injustice toward the state, as Aristotle put it, suggests that the injustice is one of depriving the state of one of its members. Accordingly, it seems to be the crime of robbery. But that, of course, presupposes that individual persons are the property of the state, public chattel of which the state is wrongly deprived by the private act of suicide. It is desertion of duty that the state solely determines in its own interest. Yet is this not the very presupposition of totalitarian regimes, which assume that human persons are their property, to be used or discarded at will? Is this not the very historical stimulus that has made us so concerned with the right to privacy as the assurance of human dignity here and now? Surely, this fear is valid and deserving of the most serious attention.

Nevertheless, this fear is justified only if we assume that the injustice against the state is strictly that of robbery. For if that is the case, the state can just as easily mandate the death of those it considers useless or potentially dangerous as it can mandate the life of those it considers useful or benign. If, however, one regards the human person to be social *by nature*, then the function of the state is not to possess its citizens but to serve their social needs for each other. By identifying what those needs are, natural law can be the criterion for judging which human regimes deserve the moral loyalty of their members and which do not. The state is not an institution created by selfish individuals to stand over and against them because they do not trust anybody, even themselves. Humans are placed in society by something greater than themselves, as Plato pointed out, and they do not create society anymore than society creates them. The function of the state as the most general institution of human society is to order properly our mutual fulfillment of the needs of self and others. As the Bible puts it, we are all "bone of my bone and flesh of my flesh" (Genesis 2:23), and each of us is a "helpmate for the other" because "it is not good for humans to be alone" (Genesis 2:18).

If the social needs of humans are coequal with their existence, then that existence itself is essentially to be with and for others. As one sage is reported in the Talmud to have said when he returned to his old community after a long solitary absence, "either friendship or death." In fact, I think that is the human meaning of death. It does not mean "nonbeing" for us, which is something no one has experienced or could even imagine. (How could we imagine our own nonbeing when this very act of imagining presupposes our own existence? How could we imagine what has absolutely no analogue in our living experience?) Instead, death is our own final loneliness, our being abandoned to our ultimate privacy. It is the last time we are "let alone." That is why the most human reaction to adversity is to say that "my kin have abandoned me, and my fellows have forgotten me" (Job 19:14); that is why at the moment of death the most human reaction is to cry, "My God, my God, why have you forsaken me?" (Psalms 22:2). That is why we fear death and do almost everything to postpone its inevitability. But how can we do that without the concern, the help, of those *with* whom and not just *among* whom we live?

Our loneliness is so painful, so terrifying, that when we feel abandoned before death has actually arrived, we are sorely tempted to take control and preempt its sting. Since loneliness is the premonition of death, control is our desire to cheat death of its capacity to rob us of the power that is the only thing we ever really had. In suicide we become death itself and thus attempt to transcend being its passive victim. We want to die just as we have lived—

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autonomously. Since we have believed in life that our dignity is to be self-sufficient, we now believe that we must die with that same dignity. Death is no longer the ultimate horizon that teaches us that our essence in this world is not to be in control but to make our peace with an order greater than anything of our own making.

Of course, such a suicidal course of action is now advocated only for those who are "terminal." But if death is our inevitable lot in the world into which we have been cast, who is terminal and who is not becomes an inherently hazy matter. If death is the ultimate loss of control, and if that is the ultimate human indignity inconsistent with life as autonomous self-possession, then there is no reason to ban or even disapprove of suicide for any mortal, rational, human being. In fact, following this lethal logic, we should encourage, maybe even mandate (law being the last step in the process of social policy) a time when the person bearing it is to dispose of it. That time is when death threatens to race beyond his or her control. Following this logic, is this not what is both good for ourselves and good for others, those others upon whom we become more and more of a burden?

This is where we are finally led when we assume that our privacy is foundational, that it is our most fundamental right. This insight was best explicated by one of the great founders of modern sociology, Emile Durkheim. In his classic study *Suicide*, Durkheim wondered why suicide rates have risen so sharply in modern industrial societies. His answer was to propose his theory of anomie, which is the sense of being personally unconnected to others, not being in a web of what the contemporary anthropologist Clifford Geertz has called "thick" culture. It is the sense of loneliness that comes upon people when they are increasingly taken by others and themselves as dispensable producers and consumers. In such a cold, uncaring environment, more and more desperate people sense that their own lives are simply more than they can bear by themselves alone.

It seems that there are two overall ranges of relations that are destructive of authentic human personhood (of which privacy is certainly an essential feature), that encourage spiritual dissolution. That is because in the case of one, there is too little privacy, and in the case of the other, there is too much privacy.

First, there is the totalitarian scheme that claims our total subservience and disposability for it alone. If any of us is better dead than alive for the state, it becomes our duty to be eliminated or to eliminate ourselves even before the state has to bother itself with that unpleasant necessity. Thus it was no accident that the suicide rate of German Jews beginning in 1933 dramatically increased—years before the actual "Final Solution" of the death camps was implemented—when the society to which most of them believed themselves to be integrated members sent them the clear message that their presence was to be removed at any cost. Death became the last privacy to which they were consigned.

And second, there are the radically liberal regimes that send the message to their citizens that they are basically on their own, especially in situations when tempted with self-destruction. Here is where persons are the least self-sufficient, the most in need of help from others. In fact, is not our primary social need the need to be helped to control our own murderous tendencies? Thus in the Bible, the first city is founded by Cain, the first murderer, who, when left alone after killing his brother cries out (Genesis 4:13), "My crime is too great to bear!" The city is to protect him both from being killed and from killing again.

When a society regards itself as being charged by a higher authority to care for each and every human life in its charge, is it not the prime responsibility of a society so charged to intervene, to break into our privacy, when there is a strong chance that death might otherwise occur? For if society is charged to defend all human lives from destruction, there is no longer a difference in kind between homicide and suicide. Killing is to be contained irrespective of who is killing and who is being killed. Along these lines, is it an accident that history's most famous murderer, Adolf Hitler, died by his own violent hand, by the same means by which he delegated others to kill his victims? The fact that the criminal and the victim are identical is irrelevant inasmuch as the law is to protect all persons and not discriminate in favor of any one of them over the other.

Any society that is basically indifferent to this charge eventually loses the loyalty of its more morally sensitive members. This is true even of the state, society's most impersonal institution. A society that does not care who lives and who dies can hardly expect loyalty from its members. Such a society runs the risk of its own death by the indifference of more and more of its members. In the end, the very public edifice that private, autonomous individuals have supposedly erected to protect themselves from themselves abandons all of them by refusing to protect each one of them. In the end, who needs the state at all? FT

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Who Elected Clinton:
A Collision of Values

John Green, Lyman Kellstedt, James Guth, and Corwin Smidt

If you believe the conventional wisdom, the 1996 elections were "valueless." And indeed, moral concerns played a very modest role in the campaign. Religious conservatives complained about voters' indifference toward abortion and President Clinton's evident character flaws, while religious liberals lamented public apathy toward social injustice and Speaker Gingrich's ethical lapses. These complaints fit nicely with the most common explanation of the electoral results, namely, that "the economy did it." Prosperity led self-interest to trump all other values; personal gain, present or prospective, skewed the country's moral compass. In this view, the absence of all but material concerns ensured that the elections were seen as valueless—they resolved little. A chastened Democrat renewed his lease on the White House, humbled Republicans retained their grip on Congress, and a majority of voters stayed home on election day. It was as though the nation had experienced a pervasive hardening of the heart and deliberately chose to settle for half a loaf.

There is much to be said for this portrayal of the 1996 campaign, but like most conventional wisdom, its insights are overstated. In reality, the 1996 elections reflected not the absence of values but rather a clash of values. The campaign revealed both the death throes of an old political order and the birth pangs of a new one. These changes are creating new electoral alignments, altering the framework through which short-term economic forces are interpreted politically, and perhaps setting the stage for an eventual resolution of the current impasse.

A good way to illustrate this transition is to look at the 1996 presidential and congressional vote of the most important religious traditions. Religious traditions are critical repositories of cultural values and intimately connected to national politics. It is worth reviewing the political role of such traditions in American elections before taking a closer look at 1996.

When we analyzed for First Things the results of the 1992 election ("It's the Culture, Stupid!" April 1994), we argued that a full understanding required attention to the cultural underpinnings of national politics. Conventional explanations of that election exaggerated the role of short-term economic forces, ignoring the contexts in which such factors were interpreted by voters. Members of distinct religious traditions saw the issues differently, and as a result these religious groups were critical both to the formation of party coalitions and to the way individuals voted.

Religious traditions have been important elements in electoral configurations throughout American history. But with changes in the nature of American religion over the past generation the links between religion and politics have been transformed. Historic conflicts between major American religious traditions such as the classic confrontations of Protestant and Catholic are being replaced by vigorous disputes within traditions. This development is creating cross-tradition alliances, as religious "liberals" from several traditions battle their "conservative" counterparts. This shift from "ethnocultural" to "ideological" coalitions has important implications for national politics.

The key feature of historic ethnocultural party coalitions was that conflicts were *between*, not *within*, religious groups. Particularistic religious beliefs, practices, and identifications, often intimately linked to ethnicity or race, combined to produce and maintain characteristic group values. In other words, believing, behaving, and belonging rein-

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forced each other to produce distinctive religious traditions. In this sense, "identity politics" is nothing new, but has long been the stuff of American party politics. As historians have amply demonstrated, these distinctive values linked the members of religious traditions to specific parties and candidates. Political leaders have always been keenly aware that religious traditions represented a reservoir of potential support and frequently appealed to voters on the basis of religious values. Because of the country's great ethnic and religious diversity, and the constraints created by the two-party system, such appeals inevitably created coalitions of diverse groups. These alliances were fragile and easily disrupted, inevitably evolving in response to political and social change. Some changes resulted from the shifting strategies of party politicians, but most reflected developments within the religious sector itself. Immigration and revivalism, for instance, created new traditions, while cultural assimilation and social accommodation altered old ones.

Although the New Deal Democracy is often seen as an economic coalition of the "have-nots" against the economic elite, FDR's alignment was also a classic example of ethnocultural politics, an alliance of southern evangelical Protestants, northern Catholics and Jews, black Protestants, and the small secular population. While these religious traditions often quarreled among themselves, they were all outsiders, united against the culturally dominant mainline Protestants in the "Grand Old Party." The often bitter conflicts between the Democratic "coalition of minorities" and the Republican "WASP alliance" still echo in contemporary politics. Such disagreements were rooted in the distinctive values of religious traditions, arising from the reinforcing effects of believing, behaving, and belonging.

Ethnocultural divisions are still a basic element of contemporary party coalitions, but they have been reshaped in important ways since the New Deal. Some changes are variations on the old ethnocultural theme: Catholic-Protestant animosities have faded, the increase in Hispanic numbers has altered the Catholic community, racial concerns have pushed Black Protestants ever deeper into the Democratic camp, and so on. Other changes in the American religious landscape, however, may be more portentous. The secular population has become much larger, culturally distinctive, and politically aggressive. Of equal import is the rise of conflict within major religious traditions. Key aspects of religion—believing, behaving, and belonging—no longer reinforce each other, but instead create sharply divergent values among members of the same religious tradition.

These internal divisions are principally between "modernists" and "traditionalists." In the largest sense, both groups represent responses to social modernization and secularizing tendencies in American life. Modernists in each tradition have responded to such forces by revising historic religious beliefs, producing new rituals or practices, and identifying with religious movements seeking reform or "progress" in religious communities. In contrast, traditionalists have reacted to change by reemphasizing orthodox religious beliefs, stressing historic religious practices, and identifying with religious movements working to maintain or restore the "old-time religion." This new divide is ideological in the sense that it creates religious "liberals" (who would liberate religion from the past) and "conservatives" (who would conserve the religion of the past) within each religious tradition.

Not surprisingly, these new rivals often dislike each other, sometimes with a fervor once reserved for competing religious traditions. In a few instances, the conflict actually splits religious communities, as in the Southern Baptist case, or threatens such division, as among Catholics. But even where less intense, the impact of these disagreements is pervasive among American religious groups and widely recognized. Robert Wuthnow has described the process as the "restructuring of American religion," while James Davison Hunter has offered the more martial rubric of "culture wars."

These new religious divisions have had substantial political consequences. One result has been the development of what Robert Bellah has called the "caucus church." Within many denominations there are growing numbers of organizations dedicated to pressing rival agendas on both religious issues and public affairs. Another result has been the attempt to form ideological alliances across religious communities, as traditionalists in different religious groups find that they have more in common with each other than they do with their modernist coreligionists, while modernists discover similar congruities. Both Jerry Falwell's Moral Majority and Pat Robertson's Christian Coalition envisioned an alliance of traditionalists, a true "religious right." Liberal counterparts such as the Road to Renewal and the Interfaith Alliance anticipate a coalition of modernists, an analogous "religious left." These new organizations and new alliances have been steadily incorporated into Republican and Democratic leadership elites, and from there into voter alignments.

What were the implications of these fundamental changes in the religious order for the 1996 elections? The accompanying table reports on the religious vote, based on a large national survey of the adult population (conducted before and after the election at the University of Akron with a grant from the Pew Charitable Trusts). The table lists the 1996 presidential and congressional votes, and the relative size of the largest religious traditions and subtraditions. (Figures for the entire sample are given at the very bottom of the table.)

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Religious Traditions and the 1996 Elections

	Presidential Vote			House Vote		% Adult
	Dole	Clinton	Perot*	GOP	DEM**	Pop.***
SECULAR						
Fully Secular	*27*	*53*	*20*	*33*	*67*	12.8
Nominally Religious	*30*	*58*	*12*	*39*	*61*	15.5
NON-CHRISTIAN						
Jewish	*19*	*81*	*0*	*32*	*68*	1.0
All Others	*0*	*100*	*0*	*41*	*59*	.8
CATHOLIC						
White						
Modernist	*31*	*57*	*12*	*37*	*63*	7.0
Traditionalist	**52**	**39**	**9**	**63**	**37**	8.3
Hispanic	*19*	*75*	*6*	*18*	*82*	3.4
Black, Others	*18*	*82*	*0*	*20*	*80*	.8
PROTESTANT						
White Evangelical						
Modernist	**48**	**42**	**10**	**60**	**40**	10.4
Traditionalist	**74**	**22**	**4**	**79**	**21**	11.8
White Mainline						
Modernist	*42*	*54*	*4*	*46*	*54*	7.4
Traditionalist	**63**	**31**	**6**	**72**	**28**	6.4
Black	*5*	*95*	*1*	*13*	*87*	8.7
Hispanic, Others	*32*	*55*	*13*	*46*	*54*	2.9
OTHER CHRISTIAN						
Mormon	**74**	**21**	**5**	**79**	**21**	1.2
All Others	41	48	11	61	39	1.6
ENTIRE SAMPLE	41.6%	49.8%	8.7%	50%	50%	100%

Italics: Voted Democratic; **Bold: Voted Republican**

* In each row, Dole, Clinton, and Perot vote add to 100%
** In each row, GOP and Democratic vote add to 100%
*** Entire column adds to 100%

Source: 1996 National Survey of Religion and Politics, University of Akron

Three factors were used to define the sixteen categories listed here: degree of religious commitment, denominational affiliation, and ethnicity or race. First, the sample was divided into secular and religious populations. This initial cut produced the two categories at the top of the table: the "fully secular" and the "nominally religious." The fully secular were respondents who claimed no religious belonging and reported no significant religious beliefs or behaviors (reporting no religious "preference," holding few traditional beliefs, and seldom or never attending religious services). The nominally religious were much more diverse, including individuals claiming a religious affiliation but exhibiting few signs of religious belief or religious behavior, and those who reported no affiliation but held some religious beliefs and engaged in a modicum of religious behavior. Note that this collection of nominal Protestants, Catholics, Jews, and others closely resembles the fully secular group in voting behavior. Our incorporation of the nominally religious with the secular camp does reduce the size of the major religious traditions, at least in comparison with estimates by most other scholars, but seems to us to have ample empirical warrant.

Thus, nearly three-quarters of the population are "religious," but in many different ways. We captured this diversity in two steps. First, we used combinations of denominational affiliation and ethnicity or race to identify eleven traditions and sub-traditions: Non-Christians (Jews and all others); Catholics (white, Hispanic, and black/other non-whites); Protestants (white evangelical and mainline, black, and Hispanic/other non-whites); and Other Christians (Mormons and all others).

Second, we subdivided the three largest traditions (white evangelicals, mainliners, and Catholics) into "modernist" and "traditionalist" categories, using combinations of beliefs, behaviors, and belonging peculiar to each tradition. Among evangelicals, for example, belief in biblical literalism, church attendance, and identification with fundamentalism or other sectarian religious movements defined these groups, while among Catholics, we used traditional Catholic beliefs, church attendance and confession, and identification with "traditional" or "progressive" movements in the Church. Although the distinctions reported here are fairly crude, they are also quite robust: alternative measures produce very similar results. The methods employed do not allow us to equate evangelical and Catholic traditionalists—only to say that evangelical and Catholic traditionalists are different from their modernist co-parishioners. The modernist/traditionalist distinction was not applied to some religious traditions because of the small number of respondents (Jews) and to others because the division revealed no political differences (black Protestants).

This categorization is very helpful: we can identify religious groups with distinctive voting behavior while also showing substantial political differences between "traditionalists" and "modernists" in each major tradition. The patterns show the outlines of both the old ethnocultural coalitions and the new ideological alliances. On the first count, the Democrats still comprise a coalition of minorities, but have also become a party of modernists and secularists. Note the strong backing for Clinton from blacks and Hispanics, Jews and other Non-Christians (the unanimous Democratic vote here is a statistical artifact). Among whites, though, modernists were by far the most Democratic, especially among mainline Protestants and Catholics. The Democrats did as well among the two secular categories.

The GOP is still largely an alliance of white Protestants, but increasingly also a party of religious traditionalists. All the white Protestant categories gave Dole substantial, if not always majority, support. Among white Protestants and Catholics, however, traditionalists were by far the most Republican in both presidential and congressional voting. Similarly, the GOP did well among smaller traditionalist contingents, such as Mormons. (The mixed results for the Other Christian category reflects its diversity, including groups as different as Jehovah's Witnesses and Greek Orthodox.)

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The 1996 vote clearly shows the transformation of the New Deal political alignments. The ancient cores of the Democratic and Republican parties—white Catholics and white mainline Protestants—have become swing constituencies, divided between modernists and traditionalists. Meanwhile, the growing numbers of nonwhites have moved to the center of the Democratic coalition, joined, at least for the moment, by the expanding secular population. White evangelicals, especially the most traditionalist, have become the core of the GOP electorate. Although white traditionalists tend to be outnumbered, the electoral scales are balanced somewhat by their greater turnout: ethnic and racial minorities, white modernists, and seculars voted less frequently.

What do our results reveal about the nature of voting coalitions? Dole received 37 percent of his votes from evangelicals and only 22 percent from the former mainstay of the Republican Party, mainline Protestants. More important, however, was that over half the Dole vote came from the three traditionalist groups within evangelical and mainline Protestantism and Roman Catholicism, plus the religiously conservative Mormons. When modernist evangelicals are added to the mix almost two-thirds of the tenuous GOP coalition is accounted for.

The Clinton vote, in contrast, was strongest among minorities, the two secular groups, and religious modernists. Together, these groups accounted for close to 80 percent of the votes received by the President. Yet the Democratic coalition is fragile. The minorities are closer to traditionalists on social issues, but closer to modernists on economic matters. Finally, the Perot vote came substantially from the two secular groups (45 percent) while religious modernists made up another 25 percent of the Perot constituency.

The table results are quite potent. Statistical controls for income, gender, region, education, and age do not appreciably alter these patterns, although each has its own influence on the vote. As one might expect, the rich supported the GOP, and the gender gap benefited the Democrats. But, in fact, these religious categories were twice as powerful in predicting the vote as the next strongest demographic variables, income and gender. By the standards of public opinion research, these results are quite impressive, and are worth a little more exploration. We do that by focusing on the candidacies of Clinton, Perot, and Dole and their major constituencies—Catholics, seculars, and Protestants, respectively.

To win reelection in 1996, Bill Clinton's task was straightforward: to retain the voters who elected him originally and expand his support enough to undercut his opponents, who collectively out-polled him in 1992. Clinton achieved the former goal and made some progress on the latter, expanding his vote share by 6 percent (from 43 to 49), although the decline in turnout (from 55 to 49 percent nationally) meant that he actually gained relatively few new votes.

White Catholics, especially the modernists, were key to Clinton's success in both respects. In 1992, he received only about two-fifths of the modernist vote, with Perot getting almost one-fifth and Bush better than one-third. But in 1996 the President attracted 57 percent of modernist Catholics, with the increase coming almost equally from former Perot and Bush voters. Clinton also slowed the erosion of Democratic support among Catholic traditionalists, some three-fifths of whom backed other candidates in 1992 and 1996, and voted Republican in 1994. When combined with the strong Democratic leanings of Hispanic and other nonwhite Catholics, these trends explain the widely touted Democratic "revival" among Catholics.

No doubt the President's carefully crafted appeals on social issues, from school uniforms to V-chips, and his rightward moves on economic questions, from balanced budgets to reinventing government, helped with Catholics. Of course, the President also irritated many Catholics by vetoing the late-term abortion bill and signing what some viewed as harsh welfare reform legislation. In fact, Clinton's relative liberalism on all these issues was probably more important to his success than his studied "moderation." For example, only 37 percent of the modernist Catholics held pro-life positions on abortion and more than half gave economic problems top priority. In contrast, 68 percent of traditionalist Catholics were pro-life, while only 40 percent gave priority to economic matters. While Catholic traditionalists are not yet as conservative as white Protestants on economic questions, they appear headed in that direction.

These patterns reveal the deep-seated differences among Catholics, which Clinton handled adroitly and his opponents failed to exploit. These differences are rooted in religion and culture, and appear to be widening. A good illustration of this point is the impact of age on the Catholic vote. In an important article in *Commonweal* (September 27, 1996), University of Notre Dame political scientist David Leege pointed out that older Catholics are mostly Democratic, while their younger coreligionists are more likely to turn to the GOP—a generation gap, if you will. And in fact, age still matters: the oldest cohort of Catholics, those who came of age during the New Deal, voted the most Democratic in 1996. But the modernist/traditionalist divide is clearly evident in this group, with 64 percent of the modernists voting for Clinton, but only 46 percent of the traditionalists. This division drops slightly for the Baby Boom generation, with 50 percent of modernists for Clinton, versus 33 percent of traditionalists, but widens among the Busters, whose modernists gave the President 61 percent, compared with 33 percent among traditionalists. Not surprisingly, this tenden-

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cy extended to white nominal Catholics as well, where majorities backed Clinton in all generations (these data are subsumed in the "nominally religious" category in the table). Thus, although age helps explain the 1996 vote among Catholics (as well as other groups), it does not reduce the impact of religious differences.

Whatever else the Ross Perot phenomenon meant, it reflected widespread dissatisfaction with the major political parties and their candidates. And although Perot's total declined sharply in 1996, it was still sufficient to deny Clinton a popular vote majority and Dole a shot at winning. Given the historic linkage between religious groups and party coalitions, it should come as no surprise that the Perot vote came substantially from secular voters, those disaffected from both religious and political institutions. In fact, as noted previously, the two secular categories produced almost 45 percent of Perot's votes.

Although voters in the two secular categories are quite diverse, they have several things in common. Only about one-fifth of the fully secular and less than one-third of the nominally religious are pro-life on abortion. Similarly, few gave moral issues top priority, emphasizing economic matters instead. Second, these groups are also most likely to respond to short-term economic forces, given the lack of conventional religious ties that might anchor their political behavior. And the absence of institutional connection helps account for their rather weak turnout. Even so, the large size of the two secular groups helps explain the power of social liberalism in national politics.

So, Perot voters have in common conservative views on the economy and liberal views on social issues. While many supported the GOP in the 1980s and in the 1994 congressional election, relatively few see themselves as Republicans. They do, however, follow the direction of the cultural groups to which they have some residual attachment: for example, traditionalist evangelicals who voted for Perot supported Republicans in congressional contests, while secular Perot voters supported Democrats for the House and Senate.

As the Republican nominee, Bob Dole's task in 1996 was also straightforward: to retain the support George Bush received in 1992 and find enough new voters to win. Dole largely achieved the former goal, but failed on the latter. He improved slightly on Bush's share of the presidential vote, moving up from 38 to 41 percent, but because of the overall decline in turnout, actually polled fewer votes.

The key to Dole's limited improvement were white Protestants. Among traditionalist evangelicals, GOP support rose from almost two-thirds in 1992 to 74 percent in 1996; similar gains occurred for traditionalist mainline Protestants (from 55 to 63 percent) and other traditionalist groups like Mormons (from 59 to 74 percent). More modest increases appeared for modernist evangelicals and traditionalist Catholics. Most of these gains came at Perot's expense. In addition, Dole was aided by the fact that the general decline in turnout was smallest among traditionalists.

Thus, it is easy to understand why social conservatism is so central to Republican politics. All of the traditionalist groups were strongly pro-life, especially compared to their modernist counterparts, and all gave high priority to social issues in 1996. Despite the claims of moderate Republicans and the warnings of liberal journalists, it is hard to see how Republicans could ignore such a large constituency. In fact, the GOP could expand its support among traditionalist groups. Indeed, there is considerable merit to the argument that Dole's lukewarm approach to late-term abortions and other social issues failed to mobilize the full potential of the traditionalist vote.

This last point brings to mind the so-called gender gap, the disadvantage Republicans have among women, a phenomenon that received much attention during the campaign. The usual presumption is that the gender gap is caused by social conservatism, but most studies show this is not the case; our own data suggest that the matter is quite complex. In 1996 the gender gap occurred even in strong GOP constituencies. For example, among traditionalist evangelicals, men gave 85 percent of their vote to Dole, compared with 64 percent for women, a twenty-one point difference; comparable figures for traditionalist Catholics were 58 and 47 percent, respectively. As one might expect, the gap was even larger among modernists, with modernist evangelical men backing Dole with 61 percent of their votes, while their female counterparts gave him only 35 percent. Among modernist Catholics the Dole percentages were 43 percent for men and only 20 percent for women. Interestingly, the gender gap was much smaller among traditionalist mainline and secular voters.

Thus, the Republicans had problems with women in both traditionalist and modernist groups. While the gender gap is significant, it did not diminish the effects of religion on the vote. These patterns tend to confirm the suspicion that the gender gap resulted as much from economic as social conservatism: women tend to be more liberal on social welfare concerns than men. If women had simply voted Republican at the same rate as their male religious counterparts, the election would have been much closer. Economic issues are important to closing the gender gap, but also for expanding the GOP coalition beyond the traditionalist camp.

Two large groups suggest themselves as potential candidates for inclusion in a larger Republican coalition: seculars and white Protestant modernists. Both groups contain a fair number of economic conserva-

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tives, and the GOP's free market philosophy attracts some of these voters and could attract more. The stumbling block is, of course, social issues, which have produced intra-party differences that have attained legendary status. Here the GOP walks a tightrope: moderation is necessary to expand the party coalition, but too much moderation undercuts the party's base. Of course, Dole's tax plan, coupled with an arms-length approach to abortion, was designed to assemble just such a broader electoral coalition. It is hard to tell whether the failure of this strategy was in the original design, or in its execution by the Dole campaign.

The fragility of the major party coalitions is amply demonstrated by looking at the other victors in 1996, namely, the congressional Republicans. Altogether, GOP House candidates captured one-half of the vote, some nine percentage points better than Dole. And the pattern of support is quite similar: Republican House candidates assembled an alliance based on religious traditionalists. Note, however, that they did markedly better than Dole in each traditionalist group. To this traditionalist base, they added significant gains among modernists (especially modernist evangelicals), ethnic minorities, and even seculars. Much as Bill Clinton did at the presidential level, Newt Gingrich and associates assembled a fragile coalition to remain in power.

There are, of course, important differences between several hundred House races, spread across the country, and a presidential campaign. For four decades, the Democrats held Congress by responding to the dominant concerns of voters in individual districts, while their presidential candidates often failed to assemble a winning coalition. Now the Republicans seem to confront a similar dilemma: the traditionalist core of the party can produce majorities in many places, but is insufficient to carry the presidency by itself. In any case, a comparison of the presidential and congressional votes starkly reveals the lack of consensus on values that characterized the election.

In his comprehensive review of the 1996 vote (*America at the Polls 1996*), Everett Ladd argued that the link between religion and politics was changing from "denomination" to "religiosity," that is from the old ethnocultural coalitions to the new ideological alliances. There is much to be said for this interpretation. The old coalitions based on conflicts *between* groups are being replaced by new coalitions based on conflicts *within* groups. This change has important implications for the nature of electoral alignments, the framework through which short-term economic forces are interpreted, and the resolution of the present impasse in government.

Under these circumstances, the logic of party coalitions will make cultural values increasingly important. For the Democrats, victory requires maximizing the vote from ethnic minorities, modernists, and secularists. Securing both the necessary turnout and party loyalty will be difficult without stressing values central to these traditions. By the same logic, Republican success demands maximizing traditionalist votes, which dictates stressing "family values." But, as we have seen, neither party can win with its core supporters alone, and thus must leave elbow room to chip away at the other party's base. As a result, a complex weave of values is likely to be the norm, sometimes cast in big, bright colors and sometimes, as in 1996, sewn in small, gray stitches.

This emphasis on values will influence the ways in which short-term economic forces are interpreted politically. Modernists and their allies may increasingly evaluate economic performance from the perspective of social reform. Thus, even good times could be suspect if the benefits are not distributed justly or if the environment is degraded. And more modest economic performance could be accepted with equanimity if social equality or environmental quality were enhanced. A similar tradeoff may appear for traditionalists, who would evaluate the economy from the perspective of personal responsibility and social order. Thus, rapid growth may be criticized if it disrupts communities and customs, while a more settled economy may be praised if it encourages thrift and industry. None of this is to suggest that economic issues do not matter, but how and why they matter depends on the cultural context.

Finally, the new cultural divide may help resolve the present political impasse. The sorting out of modernist and traditionalist coalitions may ultimately give the Democrats the votes to recapture the Congress or, alternatively, allow Republicans to regain the White House. From the perspective of our findings, either option seems plausible, and depends on winning the values argument with a relatively small number of voters. But besides party government, the impasse could be resolved in another fashion: the emergence of a common agenda. Michael Barone suggests such an agenda as a "Tocquevillian" society that is "egalitarian, individualistic, decentralized, religious, property-loving, and lightly governed." Modernists and traditionalists surely disagree on the meaning of these values, but just as certainly regard them all as worthy of disagreement. This is an agenda that both Bill Clinton, who has called for "the end of big government," and Newt Gingrich, who talks of "reviving American civilization," could embrace with joy, if only the joy of combat. If any of this is so, then the 1996 election was hardly valueless. FT

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China's Christian History

Charles Horner

For more than four centuries, the study of China and the conversion of its people have been high Christian callings. Though never a decisive influence on the course of China's history, Christianity has managed to be on hand for some of the country's shaping events, present at both creative and destructive moments. Today, as China's relations with the world become ever more complex, the West's core religious tradition has once again insinuated itself into China's ongoing confusion, not only in a day-to-day way but as a subject for longer-term speculation. In the United States especially, efforts in both religious and political communities to make Christianity more salient in America's international relations generally are bound to make Christianity more conspicuous in United States-China relations particularly.

The first sustained personal and intellectual linkages between the great civilizations of China and the West originated in the efforts of Catholic missionaries in the early 1600s to create a synthesis between the teachings of Confucius and Jesus that might, someday, ease China's acceptance of Roman Catholicism. The beginning of this great project is customarily marked by the arrival of the Italian Jesuit Matteo Ricci (1552-1610) in Beijing in 1601, though the indefatigable Ricci had come to south China in 1583 and was able to present himself at the Imperial court only after eighteen years of trying.

Ricci and his colleagues in China came to be known within the Church as "accommodationists." They were responsible for the translation of Chinese classics into Latin. They established sinology as a scholarly discipline, and dominated it throughout the seventeenth and most of the eighteenth centuries. They introduced the West's advances in astronomy and mathematics to the Chinese. They believed that much of inherited Confucian wisdom and ritual was consistent with Catholic teaching, as they understood the two traditions. This belief was as much practical as theological, for they believed that the first order of evangelization in China was securing the respect of the vaunted Confucian intelligentsia.

As it happened, the small band of European Catholics in China and the slowly growing cohort of converts lived through one of the country's great social and political cataclysms. Precisely because the Jesuits had a high opinion of the Chinese tradition, they were as disconcerted as the Chinese themselves by the violent end of the great Ming Dynasty in 1644. Established in 1368, the Ming house began to crumble in the 1620s, leaving the country open to conquest by the Manchus, a "barbarian" people from beyond the Great Wall. The chaos created by the Manchus' ascendancy was especially great in Beijing, but throughout the country there were acts of real and symbolic Chinese resistance, from the formation of pro-Ming secret societies to suicides born of despair. Ming loyalism retained a grip on the country's imagination, inspiring much opera, drama, poetry, and popular fiction. It took the Manchus another forty years or so to mop up the opposition in the larger country.

Both the Confucian Chinese and the Catholic Europeans who witnessed these events and understood them in the context of China's history appreciated their profundity. (They even had ramifications for the world's balance of power, since the struggles among the English, Dutch, Spanish, Portuguese, French, and Russians for influence in Asia and, therefore, ultimately in Europe itself, were already well under way.)

What explained this great upheaval? Inside the Confucian intelligentsia, dynastic collapse and foreign conquest produced a certain loss of confidence, and some began to recast Confucian doctrine.

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To some degree, the demoralization was so deep that many thoughtful Chinese were unprecedentedly open to an alternative world schema of the kind the Jesuits presented. And they thought they were making progress. In 1692, the emperor Kangxi (1654-1722)—regarded now as among the greatest in China's history—issued an Edict of Toleration. But the Emperor, perhaps because Manchu rule itself was becoming more accepted, or perhaps because he felt it advisable to identify more closely with the Confucian mainstream, came gradually to withdraw his support. His son finally proscribed Catholicism in 1724, and placed it on the list of "perverted sects and evil doctrines." Meanwhile, back in Rome, it thus became easier for the Jesuits' universalist outlook to come under attack from the order's rivals, and its doctrinal assumptions began to lose ground. Eventually, this so-called "rites controversy" about the compatibility of Catholicism and Confucianism was resolved by a papal bull of 1742 that prohibited Chinese Catholics from participating in various Confucian rites.

There were no more than a half million Catholics in China by then, and the government's sustained hostility ground that number down by about half. Still, they survived well enough—even though subject periodically to local outbursts of anti-Christian feeling—mostly because the dynasty had far more challenging problems suppressing armed rebellion and expanding imperial domains. Kangxi's grandson, another of the great emperors, was particularly preoccupied with adding Mongolia, Tibet, and East Turkestan to his core Chinese holdings and, in the process, creating "China" as we now know it.

The truly great era of Western influence in China began in the mid-nineteenth century, and though the propagation of the faith was hardly the dominant motive of these newly influential Westerners, the role of Christianity in Chinese affairs grew in proportion to the Western presence. Over time, the freedom for foreigners to proselytize and for Chinese to practice the Christian religion became part of the treaty system that came to define China's relations with the Western world. Once a localized phenomenon, Christianity could thus be carried deep into the interior of the Empire, and the Chinese government was obligated to protect that advance—however much it resented the obligations that the West had forced upon it. Meanwhile, the Christianization of China, once exclusively the province of Catholics, became increasingly a Protestant undertaking, first dominated by the British but, later, overwhelmingly by Americans. This reflected the relative decline of the older Catholic powers in world affairs, Britain's leading role among Western nations in China, and the various energetic movements among English-speaking Protestants throughout the nineteenth century.

In the meantime, however, the Chinese might be pardoned for regarding the arrival of Christian doctrine as a mixed blessing. For one of the largest and most devastating uprisings in world history occurred in China in the mid-nineteenth century, and it was inspired by one Chinese man's interpretation of Christian faith. In 1837, a certain Hong Xiuquan, age twenty-three, read Chinese-language Protestant pamphlets and, afterward, understood himself to have visited heaven. His vivid recollection of his journey had powerful effects. He came to believe that he was the son of God and the younger brother of Jesus Christ. He set out to give a systematic presentation of his vision both theologically and politically, and came gradually to regard himself as the founder of a new earthly order for China. His following grew, and came to include men with natural gifts for military operations. They are known to history as the Taiping ("great peace") rebels.

Hong began to capture important cities in the central regions of the country, enabling him to implement a Sino-Christian theocracy determined to construct an earthly utopia, "so that all can live together in perpetual joy, until at last they are raised to heaven to greet their father." It was a complex system, often arbitrary and brutal, socially communal, and extremely puritanical. (It would be much studied, later, by the Chinese Communist Party.) At its apex was the Heavenly King, as Hong now styled himself. Over time, Hong's realm spread close to Shanghai, the center of Western influence in China, and Western governments had to decide whether to back a Christian Heavenly Kingdom of a kind, or support the ruling Manchu/Confucian dynasty of a sort. A delegation of Protestant missionaries actually called on Hong, and examined him about his theological convictions, which, of course, they found heretical. They also judged the Heavenly King too set in his ways to recant. It took almost fifteen years, until about 1865, for this somewhat-Christian movement to be suppressed. Tens of millions were engaged on both sides of the struggle; casualties were also in the tens of millions, and the collateral destruction, by all eyewitness accounts, was enormous.

China's devastating encounter with bowdlerized Christianity made it all the more difficult to purvey the approved thing. Relations were further poisoned by the famous "Boxer Uprising" of 1900, which fed on a kind of mass hysteria rooted in homegrown Chinese millennialism, aided and abetted by the shortsighted manipulations of a faction inside the Manchu court. The Boxers violently attacked foreigners, Western Christians and, especially, Chinese Christians. In this they were different from the Taiping rebels in more than theology; the Taipings were anti-Manchu, the Boxers prepared to live with the "barbarian" Manchu dynasty as the only practical alternative to foreigners they hated even more. One supposes, also, that in supporting the Boxers' anti-

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Christian vehemence, China's Manchu rulers were hoping finally to extirpate the pseudo-Christian sentiment that had so threatened their rule thirty-five years before. But the effort was disastrous—a war against all the major powers of the world, whose armies invested Beijing and imposed further humiliation and indemnity on the now-doomed Manchu regime.

As in the mid-seventeenth century, the psychological dislocation of dynastic decline also triggered a crisis of confidence in received tradition and a corresponding willingness to examine even "perverted and evil" doctrines. Even so, Christian teaching had to compete with a host of secular Western ideologies, all of them associated in one way or another with what appeared to be the winning side in the struggle between the "old" and the "new," things Chinese and Western.

In retrospect, we now understand that Christianity, and especially its American Protestant variant, contributed much to the secular modernization of China. It was associated with the dominant reformist idea of the time—the social gospel—and its effects on Chinese society were profound. It was a powerful force in education, medicine, women's rights, and, especially, in introducing younger Chinese to the world through educational experiences in the United States. So it was that the saving of Chinese souls one at a time had to mean the salvation of Chinese society as a whole. At first, this prompted occasional forays into Chinese politics by prominent American missionaries; later, it produced determined interventions into the making of American foreign policy toward China.

In our own time, it is hard to appreciate the scale of the American Protestant effort in China from, say, 1850 until the establishment of the Communist regime in 1949. But it was huge, and drew upon the energies and the funds of Americans in every part of the country. It built schools, universities, and research institutions as well as churches. And, most of all, it produced the cadre that interpreted things Chinese to Americans, whether religious or secular. Before there were departments of East Asian studies, the requisite competencies were being developed among the preachers and their children. The late Kenneth Scott Latourette, professor at Yale and the most industrious chronicler of the expansion of Christianity into China, could himself recall that, in 1928, when the American Council of Learned Societies set up a Committee for the Promotion of Chinese Studies, half the members were either active or retired missionaries, or their children.

All this was to have its effect on world politics and on world history. As it happened, the single most important shift in American sentiment affecting East Asia actually occurred between the end of the Russo-Japanese War in 1905 and the end of World War I in 1918. For it was in that period that favorable sentiment shifted from Japan to China. Even as early as 1915, active American Protestants in China realized—in advance of most, it would now seem—that Japan was set on a predatory course, that China was to be a victim and not a beneficiary of Japan's rapid modernization, and that the United States ought to line up on China's side. These feelings intensified in the next quarter century as the United States did indeed involve itself ever more forcefully on China's behalf.

The growing psychological and material involvement of Americans in China's affairs was decisively influenced by two powerful personalities shaped by their personal experience of the Protestant enterprise in China. The better known is Henry Luce (1898-1967), founder of Time, Inc. and, in his time, the most influential of American publishers. Luce spent the first fourteen years of his life in China, where his father was a Presbyterian missionary. *Time* itself, which Luce started in 1923, succeeded quickly, and became but the first in a series of prominent magazines. With the success of his ventures so rapidly consolidated, Luce began to convey through his magazines his strong opinions about the convergence of China's future with Christian and American ideals. He settled upon the Nationalist Chinese leader Chiang Kai-shek (1887-1975) as the embodiment of this bold East-West synthesis. Chiang's wife, Soong Mei-ling (b. 1897), a formidable figure in her own right, was a member of China's most prominent and prosperous Christian family and facilitated Chiang's conversion to Methodism in 1930. Chiang's political mentor, Sun Yat-sen (1866-1925), was a Hong Kong-trained physician who had himself been baptized, and who had spent some of his earliest years in Honolulu. Luce's advocacy on the Chiangs' behalf fit nicely with an American avidity for Christianizing purposes in Asia.

Luce's rather expansive vision of China's destiny was balanced by the more down-to-earth renditions of Chinese life created by Pearl S. Buck (1892-1973.) Mrs. Buck, also the child of a Presbyterian missionary, grew up in China, was effectively bilingual, and created a sensation with the publication of her novel *The Good Earth* in 1931. Though only barely into her literary career, she won the Nobel Prize for Literature in 1934. More than any other product of the missionary experience, Mrs. Buck—her relative obscurity today notwithstanding—created the enduring American image of the long-suffering though indefatigable Chinese peasant. Like Luce, she was to find herself at the center of a vast enterprise that brought moral, financial, and political support to China during the 1930s and 1940s. Later, these two renowned American sinophiles would come to a parting of the political ways; Mrs. Buck was far the more modishly liberal of the two, in the end a pessimist about Chiang's prospects, whereas Luce is remembered as an unre-

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pentent supporter of Chiang Kai-shek and his Kuomintang, the "nationalists."

Still, what we might call the golden age of Presbyterianism in Chinese-American affairs had one final and dramatic episode left to it and, with that, the onset of a generation of disillusionment about China and its prospects. John Leighton Stuart (1876-1962) descended from generations of Presbyterian churchmen. His father, who had come to China in 1873 at age twenty-eight, would serve there for forty-five years. Stuart, born in China, would spend his youth there, travel abroad, and then return in 1905 after completing his university education in the United States. In the ensuing decades Stuart would rise to become President of Yenching University in Beijing, flagship of the many American higher education institutions in China. He lived through the Japanese occupation of the city, as their prisoner, from late 1941 until Japan's surrender in 1945. In 1946, at the instance of George Marshall, Stuart was made U.S. Ambassador to China, but fled the Chinese mainland in 1949 when the Nationalist regime collapsed. By Christmas 1950 the United States and China would be at war in Korea. There would not be another full-fledged American Ambassador in Beijing until 1979, though linkages were never wholly broken; two of the subsequent U.S. Ambassadors to the PRC, James Lilley (served 1989-1991) and J. Stapleton Roy (served 1991-1995) were both China-born, Roy the son of a Protestant missionary.

For the next quarter century, China was governed substantially at the whim of Mao Zedong (1893-1976), a demonic megalomaniac who, in his own way, sought to complete the work of the failed Heavenly King. For Maoism was to socialism what the Taiping creed was to Christianity—a bizarrely sinified version of Western doctrine which, when implemented by its Chinese creator, brought about astounding human misery. Even so, after Mao's death, his successors gave "socialism" another try—"socialism with Chinese characteristics," as the late Deng Xiaoping named it—though in practice it resembles in many respects the kind of capitalism practiced by China's East Asian neighbors

Just as Westerners have had trouble comprehending the scale of any of China's modern convulsions, whether Christian-inspired popular rebellion or Marxist-inspired social revolution, so too has the great turmoil produced by today's continuing experiment, now twenty years running, gone underappreciated. In that time, the size of the economy has more than quadrupled. Hundreds of millions of people have moved from one part of the country to another. Consumer products of every description have become commonplace. International exchange of goods and people and ideas has grown exponentially. And while China's new "socialism" was moving from one success to another, the Soviet Empire collapsed, followed by the Soviet Union itself, followed by Communist doctrine overall.

No wonder, then, that a nation of more than a billion and a quarter souls turned upside down and inside out demographically, economically, environmentally, culturally, and ideologically should find itself somewhat confused about the proper interpretation of these developments. The ruling regime uses its persuasive resources to urge economic growth, ethical and cultural advance, and the creation of something it calls "spiritual civilization." Sometimes, China's high tradition is invoked in support of these ends, but that is made awkward by a regime whose higher cadre remind no one of a refined Confucian *literatus*. At other times, the appeal is to political thought of more recent vintage, but that, too, seems self-discrediting when invoked by a moribund Communist Party.

We in the jaded West recognize this syndrome, and so do the Chinese. The regime, as a Marxist-Leninist-Maoist police state, is doctrinally atheistic and intermittently brutal to religious believers of all kinds. Yet it is also a principal sponsor of discussions of the moral vacuum in the country, an indication that it senses its own rule may be precarious. At one such event in June 1996, one of China's best-known writers, the novelist Wang Meng, spoke about the spiritual thirst of ordinary Chinese and, especially, of Chinese artists and intellectuals. He attributed the popularity of some of the younger writers to their religiosity—"better the rigid adherent of any religion than a man whose spirit has totally collapsed. . . . What an interesting phenomenon it is! One becomes a Christian believer. Another claims to be possessed by the devil. Still another becomes a disciple of Chan (i.e., Zen) Buddhism."

Wang had more to say about what he called the "new craze of ultimate faith," and, given his own personal and political history, he is clearly on to something. He first gained fame in 1957 when, in his early twenties, he took advantage of a brief thaw to write a novel critical of the Party's pomposity. In and out of favor ever since, he was appointed Minister of Culture in 1986, and then removed in 1989 after the Tiananmen massacre, since he was thought too liberal. Seven years later, however, his remarks in mid-1996 were not troublesome enough to prevent his election as Vice-Chairman of the Chinese Writers Association at the end of the year. And yet 1997 began on a disquieting note—a bitter personal attack against him published in one of the Party's many journals.

The contemporary situation of Christianity in China is no less ambiguous. It is obviously capitalizing on the spiritual disorientation of a country that is experiencing an example of the power of capitalism's creative destruction, one whose scope is unprecedented in world history. But it also benefits from the fact that there has been religion as such in

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China for a very long time, and not just the "folk religion" and "state religion" beloved of social and political anthropologists. Chinese Buddhism is heir to a complex organizational structure of temples, monasteries, seminaries, estates, and endowments. The institutional Buddhist base of Tibetan resistance to Chinese rule is well-known in the West. There have been Muslims in China for more than a millennium; the number today is small—about twenty-odd million—but they are strategically located in the country's far northwest and increasingly connected to the stirrings throughout the Islamic world.

But, in the end, it is Christianity's Western origin and Western connection that make it a devilish problem for a China that really is "opening up" to the outside world. The older Party line on such worldliness was that Christianity was nothing but a subversive adjunct of Western imperialism; the most recent Chinese scholarship is far more appreciative of Christianity's "progressive" influences. The regime now recognizes that its own de facto "edict of toleration," dating from the late 1970s, has allowed for an upsurge in Christian adherents, though we do not know how many. The regime itself uses a figure of about ten million—six million Protestants, four million Catholics—but the real number is certainly higher.

There is, likewise, a range of church-state relations, from furtive underground congregations harassed and hounded, to officially sanctioned "patriotic" churches and church organizations. The People's Republic and the Papacy, especially, have been locked in a fifty-year struggle over the Communists' refusal to acknowledge the Vatican's right to name China's bishops. Meanwhile, the Holy See still maintains formal diplomatic relations with the Nationalist government on Taiwan, a China card of its own that may someday be played in support of those Chinese Catholics who, in Pope John Paul II's words this past December, "have not given in to a church that corresponds neither to the will of Christ, nor to the Catholic faith." The Pope suggests that his Chinese flock poses no threat to the civil authority if religious freedoms are respected. Meanwhile, Chinese Catholics are unusually prominent in the ongoing struggle for democratic rights. One thinks, for example, of the exiled activist (now an American citizen) Harry Wu, and of Martin Lee (once a British subject), Hong Kong's most outspoken critic of Beijing's plans for governing the city it has recently reacquired.

While the long view of China's history may be consoling in providing instances of tolerance and cosmopolitanism, not just of repression and xenophobia, the most recent anti-Christian episodes in China are no less challenging than those faced by earlier generations of interested Westerners. Like the European arrivals in Beijing in the seventeenth century, we ponder whether there is any fundamental commensuration between the Chinese and Christian traditions and, if not, how then to develop long-term political and diplomatic strategies.

In contemporary America, the question acquires political saliency by the day. The growing involvement of evangelical Christians in political life has mostly concerned domestic problems, but the same people are increasingly active internationally in proselytizing and in humanitarian work. But many of these are people who are also associated with a kind of isolationist outlook that takes as its point of departure a rejection of the legitimacy of most transnational political and economic arrangements subsumed under "the new world order." The rejection extends not only to the instrumentalities of the United Nations but, oftentimes, to workaday arrangements for international trade and communication.

Yet, in this regard, the most influential of their predecessors who worked in China saw few distinctions between the secular and religious components of their activity. Their Christian militancy, far from being in opposition to the Wilsonian world vision, was for the most part an affirmation of it. As in the case of John Leighton Stuart, a man could be both ardently anti-Communist, devoutly religious, and ardently Wilsonian at one and the same time; after all, Woodrow Wilson himself was all of these.

But this particular understanding of the secular and the religious is far older than that. America's first Protestant missionary in China was Elijah Coleman Bridgman, who was sent there in 1829 and who, for many years, wrote extensively both in English about China and in Chinese about the United States. Michael Lazich, who has made a study of these writings, concludes that Bridgman viewed the worldwide expansion of human knowledge as a key part of universal redemption. And even in his day, he saw an emerging international order, under which all nations would enjoy equal rights and be bound by equal responsibilities, as a natural accompaniment of the prophesied Christian millennium.

Obviously, these notions worked their way through the American political system, producing great debates about the country's role in world affairs. Insofar as the involvement of American Christians in the problems of China is concerned, the nineteenth-century outlook, so powerful in shaping attitudes in the first half of the twentieth century, seems not to have much purchase on the eve of the twenty-first.

Rather, the emerging China-related political program of contemporary Christian activists seems curiously disembodied. If it seeks only *tolerance* for Christian believers in China, then the case for it, as a political/legal matter, can derive only from that vast compilation of international treaties and covenants which define American-style civil and human rights

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in a multinational context. If their program seeks also the larger renovation of China's political regime, such that it respects these norms out of conviction, not out of occasional expediency, then the arguments for the larger "engagement" of China cannot be so readily dismissed.

But, in fact, the fundamental premise of the concern has also changed. Previous generations of committed Christians were pro-Chinese, disturbed by China's weaknesses and determined to eliminate them. Today's activists, to the extent that any well-thought-out position has actually crystallized among them, think that China has already become too strong, and that greater Sino-American intimacy will make China stronger still. Powerfully expressed concerns for the welfare of Chinese Christians could well improve their lot from time to time, but will also disrupt Sino-American relations to some degree, thereby constraining American contributions to the growth of Chinese power.

Strategic analysis aside, the assertion of an American interest in Chinese affairs that is Christian in its origin is apt to have complex consequences. If it proceeds from the idea of the United States as a "Christian nation," it will certainly depart from our well-established convictions about the way in which world peace might be secured, contributing instead to a sense that current struggles are indeed the manifestation of irreducible conflicts among religions, cultures, and civilizations. But if it proceeds on the basis of an ecumenism, either secular or religious, it must confront its current estrangement from the more conventional ways the country has managed its international relations. Can we imagine America's evangelical Christians returning to their internationalist one-world roots and concluding that "the new world order," much of which is their creation in the first place, is their friend and not their enemy?

Meanwhile, as we have been doing for centuries, we must continue to calculate the West's ability to make a forceful impression on the East. In past eras of Western self-confidence, even self-certitude, the consequences of our interventions were often profound, but never quite what we had in mind when we started. As for the United States in particular, if, in its present condition of confusion and self-doubt, it embarks again on a China mission, the country will be hard-pressed to equal even the ambiguous success of its prior crusades. FT

Dirge

I should have deadened the street with straw,
I should have stopped the bedroom clock
and stilled the doorbell chimes with crepe,
I should have brought him quinine bark,
exotic simples packed in teak,
I should have had Te Deums sung
with banks of candles, cloistered nuns
to say their beads before he died.
Before he died, he should have known
his son would hire muffled drums,
his son would shroud his house in black,
he should have known his son would find
the cassocked priests to chant his Mass,
he should have known the sable horse
and raven hearse would trundle past
the silent parks and shuttered shops.
I should have told him weeping men
would dim the street like mourning clouds,
I should have knelt beside his bed
and said in life we are in death,
I should have told him sons survive
to keep their father's death alive.

J. Bottum

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That They May Have Life

A Statement of the Lutheran Church—Missouri Synod

The following statement was issued early this year by the Lutheran Church—Missouri Synod, office of the President's Commission on the Sanctity of Life.

— The Editors

Human life is not an achievement. It is an endowment. It has measureless value, because every individual, at every stage of development and every state of consciousness, is known and loved by God. This is the source of human dignity and the basis for human equality. It must therefore be asserted without exception or qualification: No one is worthless whom God has created and for whom Christ died.

Uncompromising respect for human life is fundamental and the foundational principle for human community that enables individuals to live together in security and harmony. This principle calls upon every individual and society to rightly define the human community. Will all be counted as neighbors, or will some be regarded and treated as strangers and cast beyond protection? In a democracy, men and women of every walk and station of life have a role and responsibility in answering these great and significant questions.

American society, in its response to these questions, is steadily becoming a society of strangers, obsessed with personal rights and severing the ties of duty, compassion, and love to the weak and unwanted.

American culture has come to favor those who can stridently assert their autonomy and choice in a struggle for political power. As a result, America has become an inhospitable, even dangerous, place for those too weak to compete effectively in this contest of rights—the young, the elderly, the dying, the handicapped.

American society has adopted a distorted definition of freedom. Freedom focused only on the self and its rights. Freedom from the bonds of community. Freedom from duties of parents to children. Freedom from the obligations of generation to generation. Freedom from the responsibility to sacrifice for others. Freedom even from a sense of empathy.

The ultimate and inevitable outcome of this new freedom is the individual's private, autonomous power to choose life or death, for self or even for others. This is the concept of freedom behind the increasing acceptance of euthanasia and infanticide in American society. This new freedom finds its broadest, most blatant expression in abortion.

Of every three lives conceived in America today, only two are allowed to survive until birth. What was once defended as a rare and tragic necessity has become an accepted solution to unwanted pregnancy, a popular political stand, and a profitable industry. American law against abortion has not been liberalized or reformed but abolished, with abortions now legal through the ninth month of pregnancy, until birth, under any circumstances. Given this most permissive law of any democratic nation, abortion is the most common surgical procedure in America, following circumcision.

Abortion has not only led to the shocking loss of 1.3 million lives each year, it has also resulted in a coarsened society, desensitized to death and disloyal to life. America has crossed over the line of a civilized society, approving routine violence against the weak and teaching its children through actions and attitudes that this is a proper way to treat the inconvenient. It can only be guessed and feared how the next generation will eventually treat its aged parents, its handicapped, and its sick.

God's law and human conscience call America and the world to a different and higher behavior. They call upon American culture to respect and protect, not just the self and its rights, but life and its promise. They call men and women to show concern and offer care to their weak and suffering neighbors.

Men and women in every walk and station of life

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have a role in addressing this great concern. Roles will differ as vocations differ with responsibilities in three different circles of society: the teaching responsibility of the church, the civic responsibility of Christian laity in the world, and the responsibility of all of society.

The purpose of the church is to proclaim the good news of Jesus Christ, the Savior of the world. The church does this by faithfully teaching God's Word and administering Christ's sacraments. The Scriptures reveal God's perfect will and expose mankind's sinful rebellion against God, preparing the way for the message of forgiveness, life, and salvation, through which God creates faith and a desire to do what is right in His sight.

The church does not exist to establish government or carry out the responsibilities of government. The church does, however, have a public teaching responsibility, especially for the sake of its members. The church must do all it can to speak the clear word of truth with a clear voice.

The church must take care to avoid politicization when it speaks in the public arena. Separatism and indifference are also of great concern, when Lutheran churches, not wishing to confuse the role of the church and the role of government, fail to speak out forcefully regarding critical moral issues. The failure of many Lutherans in Germany to resist not only the Holocaust, but also the eugenics movement of the 1920s and 1930s, is today recognized and acutely regretted. Many Lutherans and other Christians said nothing when this movement developed the concept of *lebensunwerten lebens*, "life unworthy of life." As a result, the mentally and physically handicapped were legally killed in the name of compassion. It was a stain on the church's soul.

The church must speak directly and forcefully in those clear and limited circumstances when fundamental moral principles are at stake. The most fundamental of those principles is the protection of innocent life, from either centralized tyranny or privately authorized killing.

It is true that the Bible does not specifically condemn abortion, as it does not specifically condemn infanticide or slavery. But silence is not neutrality. New Testament ethical teaching is not intended to be exhaustive. It defines principles which can be applied to *any* human problem while not directly applying those principles to *every* human problem.

The leaders of the early church reacted to moral challenges as they arose. When the challenge of abortion surfaced in the early centuries of the church, the response was unequivocal. The early Christian document, the *Didache*, states: "You shall not kill an unborn child by abortion or murder a newborn infant."

Moral principles relating to life are clearly defined in the Holy Scriptures. All public killing is rejected except war and capital punishment, the two exceptions which are to be applied correctly and justly by civil authority. All private killing except in self-defense is also rejected. Children are to be actively welcomed and loved. The aged are to be respected, the sick treated with compassion, and the stranger looked upon with concern. These were moral principles in direct contrast with the ancient world, where the value of life was often determined by status or strength. They remain in direct contrast, and challenge the practice of contemporary culture.

Christian ethics, based upon Holy Scripture, puts human life in a different category than other human goods. Life, even one's own life, is not owned. Nor can it be rightly given away to others in slavery, even with one's agreement. It must not be destroyed in suicide, even when desired. An innocent life cannot rightly be taken from another individual, even should a society call it legal, enlightened, or humane. Life is not a "thing" to be given or taken. It is a divine gift, to be valued wherever it is found and mourned whenever it is lost.

Christian teaching regarding abortion has varied over time according to the limits of human knowledge. Thinkers have tried to place the beginning of individual moral significance at various stages of fetal development, such as quickening (when a child is felt to move) or ensoulment. But in due time all such theories have been discredited as biologically unsound and morally arbitrary.

The church, therefore, will side with Martin Luther, who described human nature as so wicked that women even "kill and expel tender fetuses, although procreation is the work of God." From the moment of conception the fetus is alive and biologically human, son or daughter, distinct from mother, with an unmatchable genetic code. Beginning at conception, the development of human life is a continuum which unfolds until natural death. At some points in this continuum every human being is dependent upon others, while at other points independent. But at every point he and she are valuable. There is no identifiable moment on the continuum of life where "meaningful" or "worthy" life begins. Any attempt to locate such a moment, whether at viability, birth, or any other time, is fundamentally arbitrary and rooted only in convenience and not in principle.

The church must therefore speak on behalf of the innocent and voiceless child, before and after birth. The fact that some children may not be physically perfect or wanted by their parents does not make them worthless. These children hold the same claim to human dignity and value as every other human being.

The church must therefore also speak for and to women experiencing crisis pregnancies, to help them through the dark valley of their difficulties. The church's answer to crisis pregnancies will not be

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harsh moralism, but care and mercy out of respect for life and out of love for the person, moved by the Gospel. The church must also deny that there is an ultimate conflict or need for choice between the lives of children and the value, dignity, and rights of women. Women and children alike are deserving of compassion and support.

The church must also speak to men, whose role is often overlooked or ignored in times of crisis pregnancies, who bear an equal burden of responsibility. Even as men participate in creating a life, they are also responsible for fathering the child and caring for the mother after its birth, financially and emotionally.

The church must also speak for the poor, rejecting that most pernicious argument that abortion is necessary in order that society may avoid the economic costs and consequences of indigent children. Working to alleviate poverty, the church must reject the idea that poverty can be solved by eliminating the poor. Christians are called to particular care for the poor, and not to particular cruelty.

The church must also speak for the elderly and sick who are near the end of earthly life. Many who are considered burdens and obstacles to the self-fulfillment of others and made to feel unwanted, unloved, and rejected appear ready to become their own executioners, as if it is their duty to die. But there is no right or duty to take any human life including one's own. It will be the church's duty to express in word and deed its patience, tenderness, and love for those nearing death. They will be comforted, supported, and offered the hope of the Christian Gospel, not resented and driven to despair.

The church must speak for all who are considered mentally and physically handicapped. We understand that human dignity and worth are not measured by mobility, intelligence, or achievement in life. When genetic testing and abortion are used to dispense with "defective" children, this is not compassion but bigotry completed in violence. Every child destroyed in the womb for a mental or physical handicap sends the sorry message to every handicapped individual in our society that they are worthless and even burdensome. They are neither. Any proposal that persons suffering from handicaps should be relieved by hastening death must be categorically opposed.

In all these ways the church affirms the truth that no one is worthless whom God has created and for whom Christ died.

The church proclaims to a sinful world the forgiveness of sins and the eternal salvation won by Christ our Lord. Faithful Christians are called to live out their lives in conformity with the Word of God and to take the truths of the church into the world. Where the sanctity of life is concerned, they have the primary responsibility and serious charge to work and act—as citizens, professionals, parents, and friends—to restore the present culture's respect for life.

Because the shape of laws and culture in a free society is ultimately determined by consensus and not imposed by fiat, the work of Christian laity necessarily begins with persuasion. Social reform is secured when first minds and then laws are changed. Christians must, therefore, learn to present the case for protecting human life in ways which are publicly effective, appealing to medical science, clear reason, and common decency. Theological and biblical assertions, however correct, will not suffice in the public square. Christians must be encouraged to prepare themselves to give strong public testimony to their beliefs, drawing from the entire scope of pro-life argumentation.

When persuading their neighbors, *how* Christians advocate is nearly as important as *what* is advocated. Debate on issues of life and death is often divisive, requiring civility not only because of its importance to democracy, but also because it is the proper way to treat others. Kind words and true compassion can cross barriers of anger and suspicion. Words of healing and love, not bitterness, are particularly important for women who have had or are considering abortions. The desired goal is not to sound the bullhorn of a partisan agenda but to awaken the still, small voice of conscience.

A special opportunity exists here for Christian health professionals and institutions. Each has the responsibility to be an example to the world of principled respect for life by bringing healing or, when healing is not possible, by bringing comfort, counseling, and relief of pain. Some treatments which merely extend the process of dying may be rejected, but never with the aim to kill, consistently upholding the principle that it is morally wrong to directly end a life, even at a patient's request.

Secondly, Christians will tirelessly promote compassionate pro-life alternatives. Respect for life is not just an intellectual belief. It is personal commitment which recognizes that other people will not be convinced of moral seriousness regarding these issues until that seriousness is evidenced in actions. The protection of the innocent, aged, and handicapped is, therefore, both a social goal and an individual responsibility.

This means providing to women in crisis pregnancies medical, financial, and spiritual support. This means adopting unwanted children, including those who are older, handicapped, and otherwise hard to place. This means visiting the elderly, and ensuring that they know they are valued and not resented. This means comforting men and women who are facing the hard and lonely deaths of AIDS, cancer, or other diseases and comforting them with love and a loving touch. These acts of compassion and faith provide a compelling alternative to a culture of efficient, convenient death.

Finally, Christians must seek the legal protection

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of life. Such laws are not determined by the church. Such laws are properly determined by Christian politicians, voters, and activists working with other concerned citizens. Secular authority has a God-given responsibility, in the words of the Augsburg Confession, to "protect body and goods from the power of others." The state must protect human life and liberty. Christians have the duty, particularly heavy in a democracy, to hold the state to account.

It is unacceptable and indefensible for Christians to say that they personally oppose abortion but do not support the legal protection of the unborn. Commitment to life is not a matter of personal piety; it is a conclusion about social justice. Laws against abortion and other evils do not "impose" morality. They protect the weak from violence, one of government's defining roles. When a life is unjustly taken, this is not an expression of freedom or choice. It is the abuse of freedom and choice, and the permanent denial of freedom and choice to the individual who no longer lives.

It is likewise not sufficient or coherent for Christian politicians to say that they are personally opposed to abortion and yet refuse to work and vote against it, claiming to reflect the public will. Conscience cannot be divorced from conduct. Radically privatized belief is no belief at all. When a public official is faced with a public injustice which involves a primary purpose of government, he must work and vote to reform that injustice, even at political cost. He can be prudent but not passive. There is no refuge from action in the claim that our democracy or courts have spoken. The Christian public official must attempt to persuade citizens and judges to reverse or revise any law or verdict which undermines or removes the protection of innocent life. Each of these three priorities for Christians in society—persuasion, pro-life alternatives, and legal activism—will be necessary to transform current conditions and redevelop a social consensus to protect the weak. All are undermined when any one is ignored. Christian laymen are called to these efforts as long as they are necessary, avoiding both weariness and wishful thinking, motivated to serve the neighbor out of love for God.

The Gospel speaks to every nation and to all of history. But most Lutherans in the Missouri Synod are tied to America and its distinctive history. We believe it represents something unique and valuable, providing an example to other nations around the world. And we call upon our national community to fulfill its best traditions and highest ideals.

American history is the story of an expanding circle of protection and inclusion to African Americans, to women, to generations of immigrants, to the handicapped. Each stage of moral and legal progress has been a victory for America's founding commitment to equal justice under law. Group after group—sometimes after generations of discrimination—has claimed and redeemed America's initial promises of life and liberty, demanding that our nation act in a manner worthy of itself.

Only twice in American history have our laws and courts officially excluded an entire class of individuals from the basic protections of our democracy. The first instance was the *Dred Scott* decision, which declared African Americans to be less than human, leading America into generations of conflict, bigotry, hostility, and violence. The second instance was the *Roe v. Wade* decision, which effectively declared children until the moment of birth legally worthless and subhuman. Both decisions have been unworthy of America and its aspirations.

Our debate regarding abortion and other life issues is a debate on the very nature and the future of our American society. Is the gate of mercy shut and locked? Is our hospitality to the stranger and the outcast exhausted? Or will we again reaffirm and extend the American ideal? And will we again expand our care and protection to the weak? The protection of the unborn is the next noble step for a generous democracy. We pray that our countrymen will act in a manner worthy of our country and its history.

Our opposition to abortion, infanticide, euthanasia, and other such evils comes down to these simple principles: We reaffirm the value of every human life as created and redeemed by God through the life and death of Jesus Christ our Lord, and we condemn the use of violence to solve social problems. We condemn violence, even and especially when it is convenient for a majority. We condemn violence, even for reasons which may sound admirable and progressive. We condemn violence because we recognize that no individual is a problem to be "solved" but a person to be loved and a neighbor to be cared for and served.

The selective destruction of innocent life is always the triumph of the powerful over the powerless, the triumph of despair over hope. In every case, it is the triumph of will over love. A society that is ruled by the will of the strong becomes a hazardous place for the weak. This misdefined freedom—the freedom of the autonomous will—has made our society less than just, less than decent, less than human.

In a community informed by the Christian faith, no one is a stranger, neither the "unwanted" child, nor the "useless" aged, nor the "worthless" handicapped, nor the "hopeless" sick. Rather than being burdens, such human lives are gifts of God, opportunities to demonstrate what is at the heart of a caring society.

A community must be more than a winner-take-all clash of individual interests. Its boundaries must define our responsibilities to one another, particularly to the poor, humble, and helpless. A community must hear not only the shouts of a majority but the cry of a single child. Our community has grown deaf to those cries. We must learn to listen again. FT

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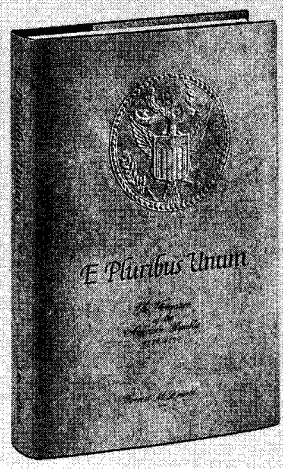

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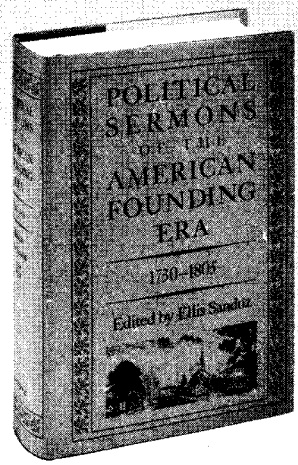

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Books In Review

Mailer's Jesus

THE GOSPEL ACCORDING TO THE SON. By NORMAN MAILER. *Random House. 242 pp. $22.*

***Reviewed by* J. Bottum**

IT'S JUST TOO EASY to start with a gibe at *The Gospel According to the Son*, Norman Mailer's new attempt to retell the life of Jesus as a novel narrated by its hero, the Son of God Himself. There is a nearly irresistible temptation to begin a review with something like, "There was a time when Mailer was famous for thinking he'd make a better President than Kennedy, but things have reached the point where he now seems to think he'd make a better Christ than Jesus." And across the landscape of America's journals and newspapers, hardly a reviewer—with the notable exception of Frank Kermode in the May 15, 1997 *New York Review of Books*—managed to resist the temptation.

The most sustained attack on the book may have been the six-page essay by James Wood that *The New Republic* ran as its May 12, 1997 cover story with a stained-glass caricature of Mailer and the headline, "He Is Finished." "It would have been perfectly proper," Wood begins by insisting, "if Mailer had knocked Jesus off his throne, as a serious writer should try to do. But . . . Mailer has attempted a 'gospel,' full of holy wind. His Jesus is not a human being; he exists only in the frail rigging of Mailer's insistence that he is alive." And he concludes, "Each new book by [Mailer] is worse than the last: he has become a bibliographer's definition of nostalgia. He remembers that one must be daring as an artist, but he has forgotten to what end."

The wittiest assault on the book was undoubtedly the review by Father Paul Mankowski—a Jesuit teaching Semitic Languages in Rome and a contributor to these pages—who wrote in the May 26, 1997 *Weekly Standard*, "Mailer obviously wants to shock us. . . . Yet he is so far behind the heterodoxy curve as to be unaware that his shattering innovations are little more that the platitudes of New Age suburbia, and have long been superseded by those 'weekend spirituality workshops' in which feminist nuns and retired orthodontists are taught how to deconstruct the New Testament and make pumpkin bread." Fr. Mankowski's review is a parade of hilarious zingers: "Mailer's Jesus (Yeshua to his pals) turns out to be a Jewish seminary student who has converted to Methodism but isn't sure why"; "He generally speaks in the kind of eco-aphorism that Hollywood screenwriters put in the mouths of Comanche elders when they want them to sound like sages"; "Mailer's Yeshua turns out to be a Messiah Lite."

THE FACT REMAINS, however, that though the pugnacious Mailer has undoubtedly led with his chin, mocking the man is taking the easy way out. His mistake was not the one he has been accused of making: a manifestly unsuccessful attempt to humanize Christ, an absurdly anachronistic foray into the search for the historical Jesus. His mistake was rather in supposing that America's literary community still took him seriously enough to look for some significant intent in his writing. What Mailer explores in *The Gospel According to the Son*—in a hopelessly flawed but I think nonetheless interesting way—is the possibility of two natures, God and man, abiding at once as the same being. His attempt is not blasphemous (indeed, Mailer doesn't know enough theology to be either pious

J. BOTTUM *is Associate Editor of* FIRST THINGS.

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or impious). But he does know about being famous, the young phenomenon whose *The Naked and the Dead* brought him enormous recognition in 1948 at age twenty-five. And though, as he himself remarked to one interviewer, "celebrity is a long, long, long, long way from the celestial," he has at least the sense to see what few celebrities manage to see: that the celebrated public persona is neither entirely identical nor entirely other to that private self who stares back in the morning mirror.

More than anything else in *The Gospel According to the Son*, Mailer's semi-King Jamesian prose ought to have warned reviewers that the author is not attempting to write the sort of revisionist, anti-Christian account of the gospel given in Ernest Renan's *Life of Christ* (1862), with its humanist account of Jesus as an innocent young moral teacher declared divine by his ignorant or cynical followers, or in D. H. Lawrence's strange fantasy, *The Man Who Died* (1929), with its pseudo-Nietzschean account of Jesus as a man who realizes on the Cross that his denial of sexuality has been a denial of life.

Mailer's touch with what he imagines to be biblical prose is far from perfect. Too often it reads like a translation committee draft from midway through the process that turned the Authorized version into the Revised Standard, and he makes some classically undergraduate kinds of errors with the language, rendering, for instance, the Gadarene swine as "the swine of Gadarene"—which is, as Fr. Mankowski observes, like saying the "physics of Newtonian." The Mailer who can write a sentence like "his eyes were blue like the faded blue of the sky when the sky is white" is about as far as is humanly possible from the Mailer whose political reporting in the early 1960s remains irresistible long after its subjects have faded—and reestablished his literary reputation that had begun to fade with the critical and popular questioning of the novels that followed *The Naked and the Dead*. "One felt," he claimed of Gov. Bill Scranton in his failed attempt to

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stop Goldwater in 1964, "he had been spoiled when he was young by lack of testing. It was not that he lacked bravery, it was that he had lacked all opportunity to be brave for much too long, and now he was not so much engaged in a serious political struggle as in a puberty rite." Of Lyndon Johnson at the Democratic Convention in 1960, he wrote that the man "had compromised too many contradictions and now the contradictions were in his face: when he smiled, the corners of his mouth squeezed gloom; when he was pious, his eyes twinkled irony; when he spoke in a righteous tone, he looked corrupt; when he jested, the ham in his jowls looked to quiver."

But the fact that Mailer would even try now to use a prose style so alien to his own famous mixture of fancy-footed pugnaciousness and bone-crunching metaphor suggests that he aims neither to titillate the infidels nor undo the faithful. He's attempting, with about as much success as anyone can expect from the unlikely form of a novel narrated in the first-person by Jesus Christ, to find a possible character for the man who is simultaneously the Son of God.

For anyone still willing to allow Mailer literary significance, *The Gospel According to the Son* offers some interesting commentary on the techniques of first-person narration. The fact that a novel's narrator must speak as a god from outside the story has always vexed novelists, particularly when the narrator is also a human character in the story. The bildungsroman—the novel of youthful error and growth—has traditionally offered some answer, the distance between the child and the adult he becomes explaining the chasm between character and narrator. But the ideal first-person narrator always speaks in some sense from beyond the grave of his own character, and Mailer's resurrected Jesus—relating "The Events Leading Up to My Execution"—may be the purest possible literary solution. Certainly it allows Mailer to leave the man Jesus as the divine Christ, something every other modern artist at-

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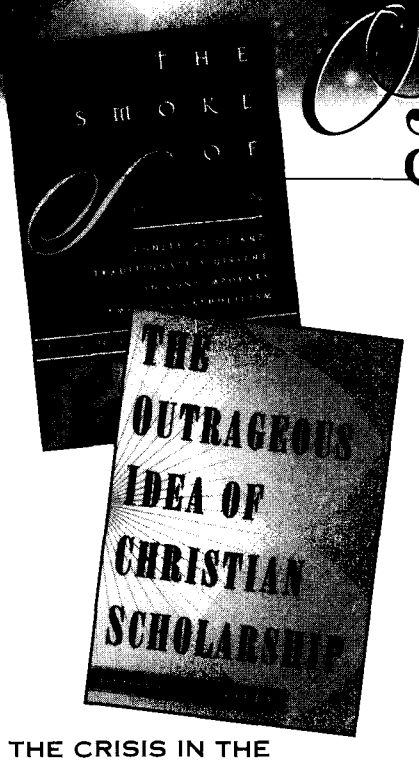

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tempting the Gospels (from Kazantzakis in *The Last Temptation of Christ* to Pasolini in the 1964 film *The Gospel According to St. Matthew*) has had difficulty doing. Even more, however, it allows Mailer to use, against itself, the difficulty of telling the gospel story as a novel. The identity and difference of character and narrator becomes a figure and a constant reminder of the mystery of the dual nature of the Savior.

The strength and the weakness of a novel, relative to the compression of any story in the Bible, is its necessity to develop particular characters. The stark account of an event in the Gospels always begins with the claim of truth: this is the way things *did* happen, regardless of why or what people thought. In these events, the artist's imagination, like the sermonist's, can seek motives and personalities. They remain hypotheses, however, judged purely by their literary and psychological persuasiveness. And Mailer's Jesus is never persuasive as either a human or divine character, weak and strong in a mix that seems more a muddle than a mystery. The author's use of biblical prose is good enough that Jesus' personality retains its biblical compression. Unfortunately, that also means that Jesus never gets the expanded personality the form of the novel demands. So too, Mailer's Mary grates in a way difficult to accept. But Lazarus, befuddled and stinking of the grave, and Judas, cynical and revolutionary, seem entirely convincing, while his Joseph is at least possible.

Make no mistake, Norman Mailer's latest is neither a great retelling of the gospel nor Mailer anywhere near the peaks that he reached with his political writing that culminated in the compulsively readable account of the 1967 march on the Pentagon, *The Armies of the Night*, or even *Executioner's Song*, his story of the ending of the Supreme Court's ban on the death penalty with the 1977 execution of Gary Gilmore. But *The Gospel According to the Son* is not an uninteresting book either, and deserves at least a little better than it has thus far managed to receive.

Witches Sometimes Cry

WILD BEASTS AND IDLE HUMORS. By DANIEL ROBINSON. *Harvard University Press. 311 pp. $29.95.*

Reviewed by **Hadley Arkes**

DANIEL ROBINSON, as I recall him, was a striking figure when he landed at Amherst in the late 1960s, and he was made all the more striking as he

HADLEY ARKES *is the Edward Ney Professor of Jurisprudence and American Institutions at Amherst College.*

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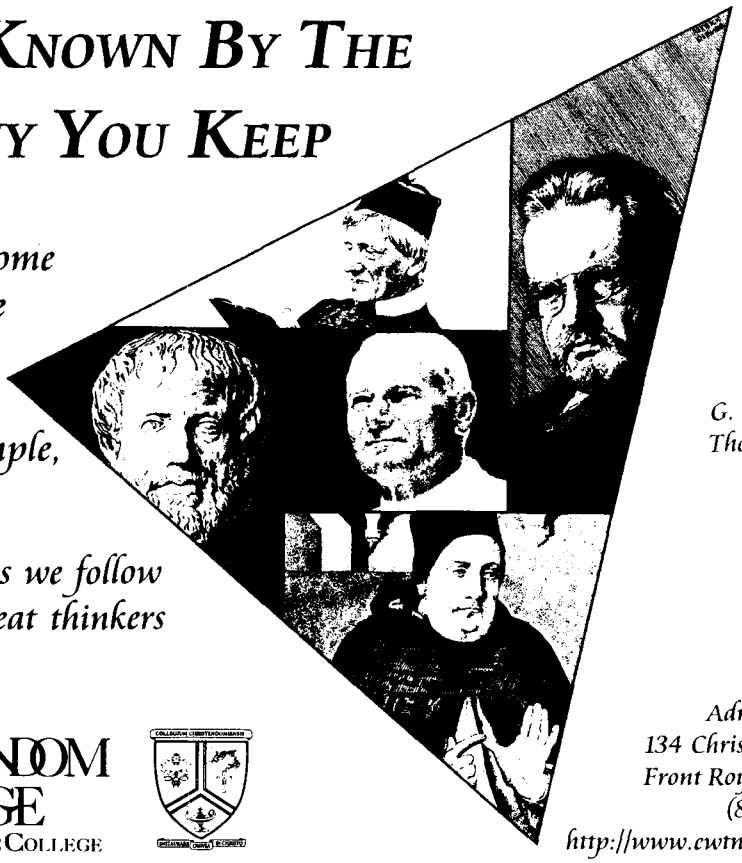

Clockwise from top: John Henry Newman, G. K. Chesterton, Thomas Aquinas, Aristotle and John Paul II

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was viewed against the backdrop of this new setting. He was a brash Manhattanite, now suddenly delivered to a New England college town. He was in his early thirties, but he arrived with the largest grant on campus for an ambitious project of research on vision and the retina as part of the "neural sciences." His teaching was in the "hard science" part of Psychology with a course on Physiological Psychology, a bracing mixture of anatomy and pharmacology. Yet, he was one of the few psychologists—and for that matter, one of the few academics anywhere these days—who could work with texts in Greek and Latin.

Years later he would do a book on *Aristotle's Psychology*, drawing on the original texts. As he offered his courses in Psychology, he insisted that the empirical findings of his discipline were worth knowing only as they bore on the enduring dispute that we identify with Plato and Aristotle, Kant and Hume, about the nature of knowledge. His work on the retina wondrously led back to Kant, just as everything in his work, so current, so up-to-date, always managed to lead back to some older questions, framed far more pointedly in an earlier age.

Robinson was also a serious theist, surrounded by the fashionable atheists of the academy. It became, in time, part of his routine to deliver his listeners and his readers from the prosaic to the sublime. Step by step, the audience would be led to the recognition that "understanding" could not be reduced to neural processes, and that the reach of the mind could not be reduced to the functions of the brain. Even if we could replicate the neural firings in the brain of John Marshall, nothing in that ensemble of electrical activity would necessarily yield the opinion in *Marbury v. Madison*. With a rivetting precision Robinson would lead his students back to the recognition of certain propositions or necessary truths, not bounded in space or time. And since the propositions were not material in nature, they would not decompose even with the death of the person who first announced them. Following in this path, the student would be led back eventually to a nonmaterial cause of a material universe. It became clear that Robinson was not waxing metaphoric when he finally concluded, with Aristotle, that there really was something divine about reason—about the capacity to understand those propositions not bounded by space and time. In the hands of Robinson, the discipline of Psychology did indeed become the study of the "soul."

A body of work set in this cast would soon of course make its connection to politics and law. As Aristotle understood, a human being—that forked creature with the divine

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gift of reason—would have the capacity to reason about the things that were right or wrong, just or unjust. That moral understanding would find its logical expression in law, and law was the defining mark of the polis. Anyone outside the polis either did not require the restraint of law or he was cut off from the moral teaching implicit in the law. As Aristotle put it, he was either a beast or a god. But as Daniel Robinson observes, "the implicit logic of every system of law [is] that . . . the law extends only to creatures able to comprehend its terms and abide by its prescriptions."

The person who seems to grasp or respect no principle of justice, indeed the one who seems bereft of reason itself, could indeed be regarded, for all practical purposes, as the equivalent of a "wild beast" or a *furiosus*. He would be "incapable of intelligible contact . . . with the public good." At the same time, he might be withdrawn from the class of beings who could be held responsible for their own acts.

Robinson would be drawn to the jural part of the problem through this question of mental competence or the so-called "insanity defense." The maturation of that defense in the law would invest with a new authority a corps of psychologists who could profess to be experts in the science of measuring mental competence. Robinson would show over the years that the science portrayed by these experts was in fact a pseudoscience. But the foundation of the problem did in fact run to the root of psychology, to the questions of determinism and freedom, of intentionality and voluntariness. To measure moral fault, to assign blame, to gauge the responsibility of people for their own acts—these were all judgments at the heart of the law, as they were at the heart of practical judgment in everyday life.

And as Robinson has shown in his writings, the jurists who have addressed these questions over the years have addressed them with a wit and common sense that may still run beyond the grasp of modern psychologists. In an earlier book, *Psychology and Law* (1980), Robinson looked back to the classic cases produced by English judges in the eighteenth and nineteenth centuries as he worked his way forward to the experience of the American law in our own day. In this most recent book, *Wild Beasts and Idle Humors*, it might be said that he completes the account by taking the analysis back to Homeric times, to the origins of jurisprudence itself. The most fetching parts of the book must surely lie here, as Robinson flexes his arts of interpretation and finds, in the fragmentary records of the past, the rudiments of a "jural" perspective. To act, unreflectively, in the groove of familiar practice is not really the same as acting with a sense of "precedent":

THE CATHOLICITY OF THE REFORMATION
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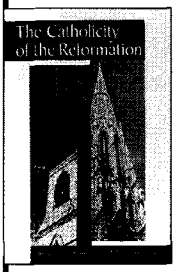

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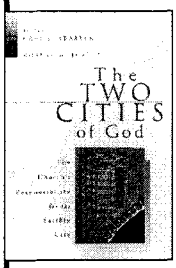
The Church's Responsibility for the Earthly City
Edited by CARL E. BRAATEN and ROBERT W. JENSON



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> Allegiance to precedent in settling disputes . . . is grounded in something more fundamental than "customary practices." It is grounded in the belief and the judgment that what is arbitrary or capricious or ad hoc is incompatible with justice itself.

But from this point, Robinson can move forward with a sweep that takes in the medieval schoolmen, and the way in which Christianity worked upon the strands of the legal tradition emanating from Rome. And Christianity would work on that tradition, curiously enough, by reinforcing, as Robinson says, "the profound belief that human law expresses in a local way what the order of the heavens reveals in a cosmic way: namely, that a rational principle is the source of all things." That sense of the matter would supply the main threads of the law, even when the most accomplished scholars, tutored in a naturalistic science, could still incorporate the arts of distinguishing witches and adjudicating cases of witchcraft. The savvy judge knew that true witches did not cry, and he would try to trick the devil by conjuring tears, in the name of the tears shed by Christ on the cross—and then distinguish between the true tears and the false ones. But the root of the problem, for the Christians, could have been put in this way: A soul that is open to the divine may be open then to the satanic as well.

And yet, the Church would not be dislodged from the discipline of reason. As Robinson puts it, "The Church remained resolute in denying that the devil could rob persons of their free will. Were this otherwise, the very grounds on which eternity is spent in heaven or hell would be removed." In 1563, Johann Weyer published a seminal work in psychiatry, *De praestigiis daemonum*, and insisted on making a distinction between the real sorcerers, inflicting harms, and those persons, in a state of delusion, fancying that they are the cause of events that no one could effect. Weyer could argue then that "nothing [should be] legally possible if it is naturally impossible."

With the advance of empirical science, there would be a richer inventory of the kinds of assaults on the body or the brain that could produce torments or distractions, and beget acts so eccentric, so out of the groove of "normal" conduct, as to suggest a touch of madness. The postulates of the law had long been settled. By the thirteenth century, as Robinson remarks, "there was little enthusiasm for executing the insane, no matter how grave the offense, and by the fourteenth century the care and treatment of the insane had become an accepted duty within a number of municipalities."

But the judgment of insanity was thought to be well within the arts of

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judgment available to ordinary folk. In the seventeenth century, Sir Matthew Hale, the English jurist, summed up the method of choice for judging these matters in the English law: "a jury of twelve men all concurring in the same judgment, by the testimony of witnesses *viva voce* in the presence of judge and jury, and by the inspection and direction of the judge."

IN OUR OWN DAY, of course, the judges and juries have given over more of their time listening to the lectures offered by psychiatrists offering expert testimony. No one has sought to track more precisely than Robinson the refinements in these bodies of testimony. But it would seem, in Robinson's estimate, that the truth of the matter does not advance very far beyond Hale's sense of things.

The essential issue may be seen, for example, in the case of epilepsy. The condition may be gauged through a variety of neurological tests and assessments of the anatomy and functioning of the brain. As Robinson observes, the epilepsy could be verified in much the same way as one would confirm the presence of a bacterial infection or a fractured bone. And yet, none of the tests confirming the presence of the epilepsy could "constitute grounds of exculpation." A defendant may claim that he was affected by the epilepsy at the time he committed a crime. That he was epilectic could be shown; but it would still be necessary to establish the relation between his condition and his behavior. Do people suffering epilectic fits usually commit violent acts or engage in thefts? Do they strike out randomly, or do they happen to strike at people they have a particular reason to assault?

In other words, we would still be left with the question of "determinism"—whether any malady or disease invariably "causes" the same kind of crime across a population of people who are otherwise quite different in their backgrounds and temperaments. In the nature of things, that contention must remain implausible. Not everyone suffering the same pain will be led by that pain on a course of aggression and criminality. What intervenes, of course, is character, disposition, and all of the influences that may shape one's sense of the things that are finally decent or justified to do. The maladies, in short, do not entail or determine "mental states." And as Robinson argues, there is no way that those states could be known reliably except by the person who experiences them.

How, then, is the matter to be judged? Apparently, in the way that ordinary people ordinarily judge

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these things: Is the person acting out of character or irrationally? Is he departing from the normal patterns of perception and reaction? Whatever we call this mode of judging, the standard, as Robinson says, is "the gift of folk psychology, and in its absence literally nothing can be said about the relevence of neuropathologies to mental life."

The final irony is that we may not be able to judge these things without consulting the subject himself, the one whose competence or self-command is at the core of the problem. We may ask, "Jones, were you trying to break into the house by opening that window, or were you merely cleaning it and suffering the tremors?" We may have to cast a judgment in the face of dissembling on the part of Jones, but any judgment on this matter would have to hinge upon the things that Jones is preeminently in a position to tell us. No one could know Jones' reasons or motives better than Jones himself, but we could consult Jones only on the assumptions that Jones is in control of his own response and that he is competent to speak reliably about the springs of his own conduct. We can assess the matter, then, only if we install, in the first place, premises that virtually answer the question that we are straining our wit now to judge.

Nothing in the arsenal of psychology will advance the task of judgment beyond the properties that were evident already in those first moments, when men acting as judges self-consciously applied laws and cast judgments. There is a certain satisfaction, or serenity, in finding that all of the paths emanating from the problem lead back to Athens and Jerusalem.

But in surveying the history, as Robinson has, with his tutored eye, he can offer a further consolation: To strip away from the law the pretensions to a false science is not to invite a callous disregard of people who are mentally disturbed. The record shows that those people are far more likely to suffer from the remedies offered up by bogus experts than from the judgments made by that ordinary citizen who commutes every day to work. That citizen, says Robinson, "left to his own judgment and experience," is more likely to weave justice and sympathy with the strands of common sense, "and despite confusions and misapprehensions, he is likely to remain open to the possibility that witches sometimes cry."

Right Turn

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have made the political trek from left to right. He has become, no doubt because of his radical background, one of the right's most effective agitators, concentrating on issues that conservative activists generally neglect, like the politicized corruption of higher education and the federal "culture" bureaucracies. He has also, with his frequent collaborator and fellow ex-radical Peter Collier, challenged the left's self-serving accounts of the 1960s and their legacy in *Destructive Generation, Deconstructing the Left,* and other works.

Now he has written a memoir integrating his political critique of the left with his own life story. That story is told with an honesty painful to himself and, sometimes, to the reader. It is a tribute to Horowitz's moral seriousness that revelations about his troubled relationship with his father and disorderly romantic history are never presented as a therapeutic exercise, nor exploited for titillation; his missteps are neither excused nor minimized.

The powerful early chapters of the book introduce his parents and recount his youth as a red-diaper baby. For his father, communism provided the certainty, self-confidence, and sense of mastery of fate that he lacked; it promised an end to the alienation that he felt from his country and, indeed, himself. This made for a strange childhood: "Almost all conversation in our household was political, other than what was necessary to advance the business of daily life." Horowitz was warned off baseball, "a form of capitalist exploitation," and especially the Yankees, "the ruling class of baseball": "To root for the Yankees," as Horowitz furtively did, "was to betray a lack of social consciousness that was unthinkable for people like us."

This upbringing reinforced his youthful hubris. "As a result of the Marxist ideas I had already absorbed," he drily notes, "I was . . . able by the age of eleven to dispose of the enduring pathologies of our social condition." Despite the universalist aspirations of his politics, Horowitz was also quite parochial. Of an aunt who was "not a New Yorker, not Jewish, and not political," he remarks, "I didn't know anyone else in our circle like her." Outsiders were sometimes hostile—justifiably so, as Horowitz now recognizes, given his family's anti-Americanism. During the McCarthy period, his parents lost their jobs as schoolteachers. Still, Horowitz is able to put their misfortune, and even the short prison stints of other Communists, in perspective: "This was not . . . an insignificant price to pay for their political allegiances. But, considering the Party's organizational ties to an enemy power armed with nuclear weapons poised to attack America, it was not a large one, either." In one of the quirks of life that defy neat ideological narratives, his mother's firing resulted in her taking a more fulfilling job.

After a courtship he describes with surprising delicacy and warmth, Horowitz married Elissa Krauthamer at twenty. They moved to Berkeley, where Horowitz half-heartedly pursued graduate studies in English when he wasn't busy germinating a New Left with the other red-diaper babies he found there. Confucius, Buber, and the early "humanist" Marx influenced him, but not so much as the example of his political (and actual) forebears. The Khrushchev report on Stalin's crimes had made it impossible for his circle wholly to embrace their parents' politics; but it remained unthinkable to reject the socialist vision that was central to their self-images. Thus they embarked on what Horowitz calls "a self-conscious effort to rescue the Communist project from its Soviet fate." Just as they aspired to make a world anew, they thought they could make a left anew. This time there would be no low, dishonest decades. The revolutionary Marxist project would be revived, but this time from within American popular culture.

THIS NEW LEFT was thus able to provide political direction for a large slice of America's youth that did not buy its whole ideological package and would never have consciously subordinated itself to the USSR in the manner of the Old Left. Except for a few remarks, however, Horowitz does not examine the relationship of the larger "youth rebel-

RAMESH PONNURU *is National Reporter for* National Review.

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lion" to political radicalism, which might have helped evoke the milieu of the sixties left. Instead, as his autobiographical prerogative, he sticks closely to his own life and reactions to the turbulence around him.

Horowitz made a name for himself in international—well, internationale—circles with *Student* and *Free World Colossus* (on U.S. imperialism), both formative New Left texts. After a brief stay in Scandinavia, he moved to London to work for Bertrand Russell. The great philosopher, by then a nonagenarian, had fallen under the sway of his megalomaniacal and fanatically left-wing secretary, Ralph Schoenman, and set up a "Peace Foundation." Horowitz facilitated its "War Crimes Tribunal" judging America's conduct of the Vietnam War.

He then returned to California and joined the staff of *Ramparts*, the largest-circulation magazine on the left at the time. Through *Ramparts*, he became connected to the Black Panthers and their charismatic leader, Huey Newton. Horowitz deluded himself that he and Newton, the intellectual theorist and the man of action, could be partners, and that the Panthers could be democratized. Despite numerous warning signs, it took the Panthers' murder of Horowitz's friend Betty Van Patter to shatter his illusions about them, and about the left.

Whatever private reservations individuals held, he writes, "no one on the left—no one—had dissociated themselves from the Panther cause." Nor did Bay Area leftists, who were forever protesting injustice "in regions they could hardly locate on a map," take any interest in Van Patter's murder: "The incident had no usable political meaning, and was therefore best forgotten." And other implications were even more disturbing. If Newton wasn't "a victim of circumstance," if "bourgeois" rules would always be necessary to restrain evil, then perhaps "the Marxist idea, to which I had devoted my entire intellectual life and work, was false." This epiphany, together with the simultaneous collapse of his marriage, destroyed the foundation of his self-importance and initiated a long period of turmoil.

IT IS POSSIBLE, however, to divine seeds of his present conservatism even before this cataclysm. He had early misgivings about the Cuban and North Vietnamese Communists, and visited neither regime. Having married early, he never really participated in the drug culture or, his divorce-inducing affairs notwithstanding, sexual liberation. He was consistently hostile to totalitarianism, and to the slovenly anti-intellectualism that made the left tolerant of it. When Eldridge Cleaver, at a Berkeley political rally, advocated gangsterism and invoked "pussy power," Horowitz was embarrassed; others on the left indulged or promoted such folly, and worse.

Horowitz doesn't let them off the hook, and he names names. While some readers may detect an excess of score-settling in the book's final chapters, it seems to me reasonable to demand some accountability for the duplicity, malice, and willful misunderstandings of such as Todd Gitlin, Sidney Blumenthal, Hendrik Hertzberg, Paul Berman, and Tom Hayden. If Horowitz thought that he could induce shame in his former allies, however, he was quite mistaken.

It is the curse of the gifted memoirist to be psychologically shrewd in hindsight. Horowitz is devastatingly perceptive about the psychology of his family and of the left. But though the totalitarian temptation has psychological roots, he recognizes that it takes theological form: the left is a secular idolatry based on the denial of original sin. Its conviction that evil results from misunderstanding itself results from a misunderstanding of evil.

Conservatives have always known this truth, of course, even those who don't know they know it. Horowitz's belated recognition of it is what elevates his political conversion over the simple exchange of one set of verities and passions for another. Some readers of his tabloid *Heterodoxy* may complain that his politics have changed but not his manners. And Horowitz distances himself from "puritanism" on the right, though his account of his private life since his first marriage suggests that some puritanism might have served him well. But his sensibilities have changed. And in telling the story of how he came to appreciate an im-

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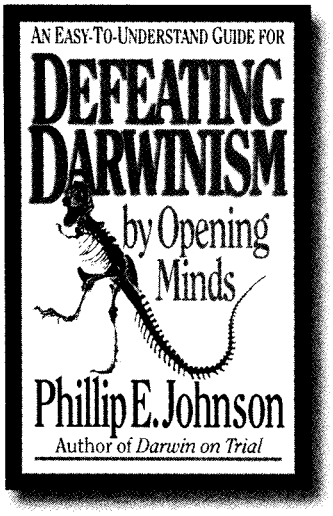

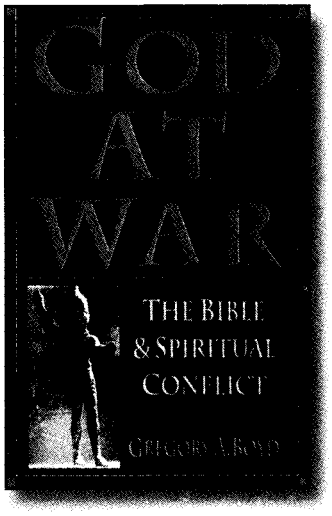

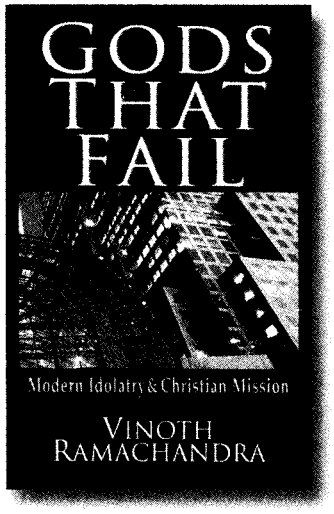

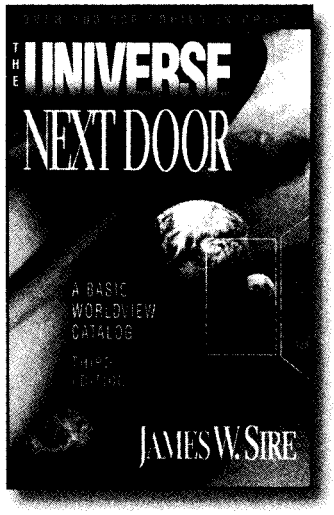

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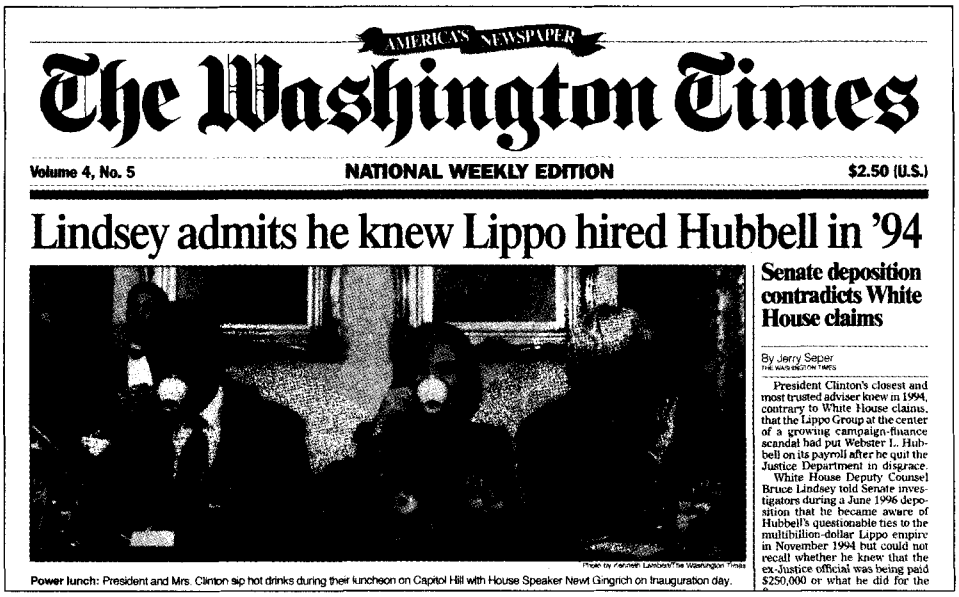

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Lindsey admits he knew Lippo hired Hubbell in '94

Photo by Kenneth Lambert/The Washington Times

Power lunch: President and Mrs. Clinton sip hot drinks during their luncheon on Capitol Hill with House Speaker Newt Gingrich on Inauguration day.

Senate deposition contradicts White House claims

By Jerry Seper
THE WASHINGTON TIMES

President Clinton's closest and most trusted adviser knew in 1994, contrary to White House claims, that the Lippo Group at the center of a growing campaign-finance scandal had put Webster L. Hubbell on its payroll after he quit the Justice Department in disgrace.

White House Deputy Counsel Bruce Lindsey told Senate investigators during a June 1996 deposition that he became aware of Hubbell's questionable ties to the multibillion-dollar Lippo empire in November 1994 but could not recall whether he knew that the ex-Justice official was being paid $250,000 or what he did for the

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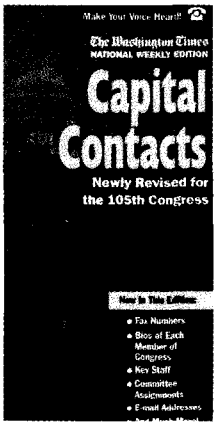

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The Choosing People

THE VANISHING AMERICAN JEW: IN SEARCH OF JEWISH IDENTITY FOR THE NEXT CENTURY. By ALAN M. DERSHOWITZ. *Little, Brown. 395 pp. $24.95.*

***Reviewed by* Gary Rosen**

IN *CHUTZPAH*, his 1991 best-seller, Alan Dershowitz made the wildly implausible claim that American Jews still don't feel fully at home in this country and, as a result, shrink from promoting their interests for fear of offending their gentile compatriots. "Deep down we see ourselves as second-class citizens," he lamented.

In *The Vanishing American Jew*, Dershowitz reverses course. Now, according to the Harvard law professor, civil libertarian, and shameless defender of celebrity miscreants, American Jews have become all too comfortable in their American skins. Moving freely through even the most rarefied precincts of American society, it is their Jewishness that is in jeopardy. Dershowitz sets himself the task of fashioning a Jewish identity that can survive the siren song of assimilation—and he fails precisely because of his unwillingness to assert the distinctive claims of Judaism against the wider secular society in which American Jews have enjoyed so much success.

For Dershowitz, as for many observers of American Jewry, the great conundrum for the coming decades is "continuity." Despite signs of vigor among the more observant, the Jewish community as a whole is simply failing to propagate itself. Jews today are more likely to marry non-Jews than coreligionists, and even those who stay within the fold are opting against large families, giving Jews an abysmally low birth rate. At the same time, many Jews have left behind organized Jewry, maintaining no connection to synagogues, charitable causes, or Israel. Jewish ignorance of Jewish things has become endemic. The dire implications of these demographic and social trends are not lost on Dershowitz: "The upshot may be that where the Nazis failed in their nightmarish plan to eliminate Jews as a potent force in the world, we ourselves may succeed."

The irony, of course, is that the leading cause of these distressing developments is the virtual disappearance in America of institutional anti-Semitism. Even Dershowitz, who has described himself as being in a "constant state of preparedness for potential persecution," concedes that professional and social barriers against Jews, commonplace a couple of generations ago, have melted away. Anti-Semitism now chiefly resides on the crackpot fringes of American life. As Dershowitz rightly sees, American Jews have paid a price for this great blessing: with the passing of the siege has gone the siege mentality, with its solidarity and social cohesion. Jews no longer have serious enemies and detractors to confirm their Jewishness; they have only themselves and the freedom, as Dershowitz puts it, to forge a "positive" Jewish identity.

The most obvious candidate for an affirmative Judaism is Orthodoxy, and to his credit, Dershowitz says as much. Orthodoxy has withstood the pressures of assimilation far better than the less traditional varieties of American Judaism: its adherents marry other Jews, have more children, and live a life informed by halakhah, by Jewish law. Dershowitz pays his respects to such halakhic Jews—"They are doing a fine job and need no help from me"—but ultimately dismisses them as irrelevant to the vast majority of American Jews, who are not ready to embrace a "God-centered, rule-bound, [and] ritual-driven" solution to their community's troubles. These "secular" Jews—who apparently are put off even by the lesser rigors of the Conservative, Reform, and Recon-

GARY ROSEN *is the departing Senior Editor of the Manhattan Institute's* City Journal.

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structionist movements—will need something far different, "a self-sustaining Judaism that can thrive in the kind of open society in which most [of them] want to spend their lives."

UNSURPRISINGLY, Dershowitz finds it difficult to say what such a godless, lawless Judaism might look like in practice. Much of *The Vanishing American Jew* thus feels like an effort to buy time—and, inevitably, to plume the author's feathers—before the prescriptive chapter with which such an exercise must end. Detours include long discussions of how to deal with Holocaust deniers and the Nation of Islam, a predictable attack on the "theocrats" of the Christian Right, lovingly told anecdotes about Dershowitz's dealings with presidents and prime ministers, and an endless collection of tired Jewish humor of the "So old man Schwartz gets sick" variety. When Dershowitz finally attempts to shed light on his radical project, he succeeds only in begging still more questions. The "single most important mechanism for assuring Jewish continuity," he informs us, "is Jewish education."

For all its familiarity, this is a perfectly respectable solution, in principle at least. All the major branches of American Judaism have embraced education as an antidote to their members' waning allegiance. Synagogues now offer beginners' services for learning the Hebrew liturgy and more advanced instruction for leading prayer or chanting Torah. In cities with big Jewish populations, you can find evening classes on everything from kabbalah to koshering your kitchen. And Jewish day schools and summer camps have produced a generation of young people who are often more learned and observant than their parents. These efforts have not reversed the wider trend toward assimilation, but they have inspired many Jews to lead far more Jewish lives.

Alas, this is not the sort of education that Dershowitz has in mind. For his resolutely secular Jews he wants a resolutely secular Jewish education, one that samples the varied riches of Jewish civilization—from Torah and Talmud to Yiddish literature and Zionist political thought—but attempts in no way to promote traditional belief or practice. This calls for a whole new array of Jewish schools, because up until now only the more observant have invested in Jewish education, putting young Jews under the "monopolistic control" of rabbis. Under Dershowitz's new dispensation, secular Jews will also know their Jewish stuff, and debate within the community will no longer be skewed "in favor of the religious component of Judaism."

And what will prompt assimilated Jews to steep themselves in Jewish sources? What secular motive will take the place of the religious stirrings that have sent many Jews back to synagogue or the nostalgia that Dershowitz so clearly feels for his own Orthodox upbringing in Brooklyn? Here Dershowitz shows the incoherence of his cause—and the pitiable narrowness of his horizon. American Jews will turn to Jewish learning, he says, not for the spiritual sustenance that they lack in their workaday world but for the "competitive advantages" that it will provide them "in their business, professional, and personal lives." As he continues, "Best-selling books have been written about how the teachings of Confucius, Jesus, Machiavelli—even Genghis Khan—can lead to success. Why not the writings of the prophets, Maimonides, Rabbi Akiba, Israel Salanter, Joseph Soleveitchik, and Ahad Ha'am?" For Dershowitz, it would appear, modern Jewish life will have reached its zenith when it can point to a shelf of its own, full of "usable" wisdom, in the self-help section of the local bookstore: Jewish chosenness, with all its obligations, will thus have given way to Jewish choosiness.

DERSHOWITZ is anxious to present this sad diminution of Judaism as yet another stage in the progress of an evolving civilization. But at times, as when he admits to his own discomfort with his son's marriage to a Catholic woman, he seems to recognize the inadequacy of his secular ideals. He closes the book with

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an unintentionally poignant proposal for creating "a worldwide twenty-four-hour-a-day Jewish television educational network." His aim is to offer a new Jewish ritual, one that might replace Sabbath rest, communal prayer, or any number of other practices that the tradition demands.

But even the most committed secularist must see what's been lost here. Indeed, it is hard not to imagine Dershowitz himself seated before a TV screen with his grandchildren, channel surfing in the desperate hope that something on his Jewish network might capture their attention for a few fleeting moments.

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Rising from the Ashes

ANGELA'S ASHES. By FRANK MCCOURT. *Scribner. 364 pp. $25.*

Reviewed by **Christopher Shannon**

EARLY LAST NOVEMBER, high in the Catskills, I attended a celebration of Irish music and dance, the Green Linnet Twentieth Anniversary Festival. Green Linnet is a surprisingly successful record company and organized the event to promote the sale of its tapes and CDs, advertising the weekend in the spirit of secular ecumenism that gladly welcomes the credit cards of every race, creed, and color. But they forgot, perhaps, that this was an Irish party, and nothing Irish ever happens without some kind of fight. The culture war that America has exported to Ireland played itself out quietly in two talks delivered on the margins of the music and dancing: one by the writer Frank McCourt, the other by the priest Father Charlie Coen.

A first-time author at the age of sixty-six, Frank McCourt earned a spot on the Green Linnet roster thanks to the astonishing success of *Angela's Ashes*, a memoir of his poverty-stricken childhood in Brooklyn and Limerick that has spent months on the best-seller lists and recently won the Pulitzer Prize for nonfiction. McCourt has spent most of his unpublished adult life living in the shadow of his brother Malachy, a New York celebrity known as a hard-drinking, Irish literary raconteur, a modernist stage-Irish act of the type perfected by Brendan Behan. McCourt's own public statements, and the initial critical reception of the book, seemed to place it firmly within the tradition of Irish modernist anti-Catholicism. The Irish masses have traditionally not taken kindly to Irish modernism's take on Ireland: the plays of John Synge and Sean O'Casey occasionally met with public riots when they premiered at Dublin's Abbey Theater. In the spirit of riots past, a resident of Limerick is reported to have informed the McCourt brothers, "There are people in this town who would joyfully slit yer effin' throats."

In fact, despite the pious proclamations of the Irish Tourist Board, modern Irish writing remains where it has always been: a long, long way from the spirit of traditional Irish music. I was curious as to how McCourt's anti-Irish Irishman act would play at a weekend devoted to the celebration of Irish culture. McCourt's reading began with a laundry list of Irish pathologies: the drunken father, the helpless mother, the pompous priest, the bullying schoolmaster. As he continued, however, it oddly began to appear that the real blame for his miserable Irish Catholic childhood lay with the weather: "Above all—we were wet." The rain "created a cacophony of hacking coughs, bronchial rattles, asthmatic wheezes, consumptive croaks. It turned noses into fountains, lungs into bacterial sponges." I had not read the book, and nothing in the reviews prepared me for McCourt's reading. A friend who had read the book was equally surprised. What she, and many reviewers, had thought of as a serious expression of "raw pain" now sounded more like a comic defiance of death.

HAVING ATTENDED McCourt's reading, I can only conclude that the critical reception of *Angela's Ashes* says more about the expectations of "serious" Irish writing than about the book itself. Serious Irish writing must involve a solitary hero coming to self-consciousness, throwing off the dead weight of tradition (especially Catholicism), and having sex happily ever after. Critics have mistakenly read the book through the lenses of modernist sociology and psychology. Tough-guy New York newspaperman Pete Hamill praised the book as a scathing indictment of the "culture of poverty" (yes, he real-

CHRISTOPHER SHANNON *is Assistant to the Curator of the Motion Picture Department at the George Eastman House in Rochester, N.Y., and author of* Conspicuous Consumption *(Johns Hopkins University Press).*

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ly uses this phrase) fostered by "Eamon de Valera's Ireland," while the literary critic Denis Donoghue, writing in the *New York Times*, presented the book in much the same way (though he clearly lacks Hamill's enthusiasm for the story).

It is true that McCourt refuses no gruesome detail in his account of the poverty he experienced as a child in Limerick. But I nonetheless found *Angela's Ashes* to be the most refreshingly unsociological account of poverty I have ever read. Like premodern folk tales, McCourt's stories present extreme suffering more as a fact of life than a problem to be solved. The childlike voice of the narrator invests poverty with an almost natural quality akin to the weather. People certainly complain about the weather, but they do not criticize it.

I think Hamill, Donoghue, and nearly every other of the American critics who praised *Angela's Ashes* have equally misread the book as a chronicle of a young man's liberation from a "smothering Irish parochialism." In what is ostensibly a coming-of-age story, the narrator never really shows psychological development. Young Frank discovers Swift and Shakespeare, but reading plays almost no part in the story. Young Frank discovers sex, but sexual awakening appears simply as an awakening to sex, not to some salvific knowledge. In a world where nothing is hidden, nothing can be revealed. The book does conclude with a pseudo-Joycean sexual epiphany, but it appears slapped on as a matter of convention—as that which is expected of an Irish writer. Refreshingly, the book offers not another Portrait of the Artist as a Young Man, but a fascinating and straightforward Portrait of the Young Man as a Young Man.

This strength is also its weakness. *Angela's Ashes* leaves one with a sense of the whole being less than the sum of its parts. The book offers a lively sampling of urban folk stories held together only by a sentimental rejection of all things Irish. In this way, it stands as a kind of evil twin to Green Linnet Records, which offers a lively sampling of great musical stories held together only by a sentimental affirmation of all things Irish. *Angela's Ashes* and Green Linnet Records both speak of a culture still alive with stories but lacking a *story*. For most of the twentieth century, Ireland has had a story—a cultural story of tradition against modernity; a political story of nationalism and agrarian republicanism against colonialism; and above all a religious story of Catholicism against Protestantism. These three dimensions of Ireland's story came together in the symbolic politics of the Easter Rising of 1916, which offered to the Irish a link between Ireland's secular struggle for independence and the sacred story of Jesus Christ. I held little hope of hearing this story in the Catskills. And then I went to Mass on Sunday.

EVEN THE MOST secular Irish festival has to have a Mass, if only for the old-timers. Presiding was Fr. Charlie Coen, a Galway native who has served as a parish priest in the greater New York area since his ordination in 1968. Fr. Coen also happens to be a world-class concertina player, with several recordings released through Green Linnet Records. As a Green Linnet artist, Fr. Coen was a natural choice to say the Mass. As a priest, he could not have been further from the spirit of Green Linnet Records.

Fr. Coen is an Irish storyteller who dares to tell the Story. He began his sermon with some good-natured sarcasm concerning the medieval kitsch of the Friar Tuck Inn in which the festival was held. He then placed himself in the role of court chaplain. In medieval times, he told us, a king would often have a personal chaplain for his court. The court chaplain had to be careful—if he said anything to offend the king, he might lose his job. Fr. Coen then proceeded to give a sermon that would have cost a court chaplain not only his job, but his life.

I cannot do justice to the grace and humor with which Fr. Coen delivered his hard message. I can only summarize the content of his sermon: "No one enjoys playing a tune or singing a song more than I. We should all be grateful to Green Linnet Records for providing the opportunity for us to come together in celebration of Irish music and dance. I fear, however, that Irish culture is in great danger. Irish people have turned away from the faith that sustained them through centuries of oppression. Yes, priests and nuns have done many bad things, but they have done much good as well. When I was a boy in Ireland, people were poor, but they were happy. Today's affluent generation in Ireland and America gloat over the scandals that have rocked the Church and boast of their new-found freedom. This freedom has not brought happiness, only broken families and broken lives. This freedom leads to death, as witnessed most recently by President Clinton's veto of the ban on partial-birth abortions."

I have never heard the battle lines

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of today's culture war drawn so eloquently. Appropriately enough, Fr. Coen left the last word on this war to the language of song. In response to repeated requests, Fr. Coen consented to sing a song before he gave the final blessing at the end of the Mass. It began simply enough, a nice melody telling a story of lost love. It soon became clear, however, that the song was addressed from a father to a daughter: "One lovely year is all we had, until the sickness came / And stole the roses from her cheeks, my tears they fell like rain / For nine long months she carried you, but in the end she died / She chose to go that you might live / Long, long before your time."

The Irish-American press has been tripping all over itself with praise for Frank McCourt. I have not come across a single review of the Green Linnet weekend that even mentions Fr. Coen. For those who envision a brave new post-Christian Ireland, I offer the contrast of Coen and McCourt. Fr. Coen tells a story of death that affirms life; Frank McCourt tells a story of death that ultimately affirms only Frank McCourt.

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BRIEFLY NOTED

MAKING CHRIST KNOWN: HISTORIC MISSION DOCUMENTS FROM THE LAUSANNE MOVEMENT, 1974-1989. Edited by JOHN R. STOTT. Foreword by Billy Graham. *Eerdmans. 304 pp. $30 paper.*

In July 1974, 2,700 evangelical Protestants from 150 nations gathered for the first International Congress on World Evangelization in Lausanne, Switzerland. *Time* magazine called the conference "possibly the widest ranging meeting of Christians ever held." What became known as the "Lausanne Congress" was the brainchild of Billy Graham. In the early 1970s Graham wanted to develop strategies for world evangelization and consulted 200 evangelical leaders worldwide about the need for an international Congress. The overwhelmingly positive response resulted in the Lausanne Congress and a historically significant document called the "Lausanne Covenant." What followed over the next fifteen years were nine conferences and consultations on topics as diverse as "Gospel and Culture," "Muslim Evangelization," "Simple Lifestyle," "Evangelism and Social Responsibility," and "Faith and Modernity." These produced a number of key mission documents that until the publication of this anthology have been available only in scattered form. The historical introduction and summary by John Stott is especially illuminating, setting the Lausanne Movement in historic context with other world missionary conferences of the twentieth century. This book provides an important historical record of evangelical doctrinal commitments on a wide range of issues.

— Michael Cromartie

THE DECLINE OF EASTERN CHRISTIANITY UNDER ISLAM: FROM JIHAD TO DHIMMITUDE. By BAT YE'OR. *Fairleigh Dickinson University Press. 522 pp. $45 cloth, $19.95 paper.*

On May 20, 1997 Senator Arlen Specter and Representative Frank Wolf introduced legislation in Congress identifying as persecuted minorities the Buddhists of Tibet, the Bahais in Iran, and the Christians in China and eight Muslim countries. China's oppression of Christians has a totalitarian rationale common to most Marxist regimes; the basis for the persecution of Christians in Muslim countries, however, is much more complicated: in part a tradi-

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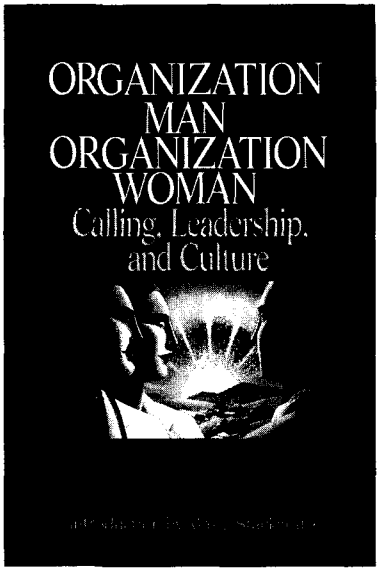

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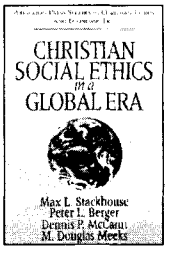

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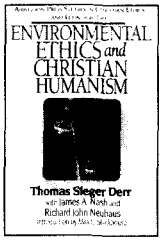

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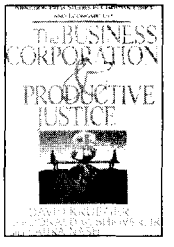

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tional rejection of and in part a reaction to modernity. But for any reader who wants to find in one volume the immense complexity of traditional Muslim rationale for relegating Christians to second-class citizenship, this is the book. Bat Ye'or is an Egyptian scholar now living in France and whose earlier book *The Dhimmi: Jews and Christians under Islam* opened up for scholars a relatively neglected area of research. While not quite her coinage (as her publisher erroneously claims), "dhimmitude" is a neologism to which Ye'or gave wide circulation in France. Speaking very roughly, it refers to the second-class citizenship of Jews and Christians—the so-called "People of the Book"—living in the House of Islam. What strikes one after reading this vastly informative book is how much the conditions of this dhimmitude varied among countries, rulers, and eras, and how much the encounter with Western modernity has added a new element of ambivalence, almost schizophrenia, in Muslim jurisprudence—sometimes leading to emancipation and sometimes to a violence and hatred unknown to the past, as in present-day Algeria. Although the madness currently seizing Sudan and Algeria is not the focus of her book, one concludes Ye'or's brilliant monograph realizing how fragile the recognition of human rights can be and how long the road will be before all the globe admits what Vatican II taught: that the right to worship God according to one's conscience is an essential component to what it means to be a human being created by this same God—whom we all worship, however unawares.

— Edward T. Oakes, S.J.

TELLING GOD'S STORY. By GERARD LOUGHLIN. *Cambridge University Press. 266 pp. $54.95.*

Not too long ago, in certain circles, new books about the mother of Jesus prompted the cry, *Nunquam satis*—Never enough! Of books about narrative theology, one is increasingly tempted to declare, *Satis*! Gerard Loughlin, professor at the University of Newcastle upon Tyne, offers us another work largely devoted to explaining and exploring ideas developed by Hans Frei and George Lindbeck. As such, the work consists of a discussion and, in some instances, a development of themes of narrative theology in biblical and ecclesial issues. The book carries with it both the strengths and the flaws of contemporary narrative theology. The strengths include a defense of the historicity and inspiration of the biblical story. They include as well narrative theology's rejection of secular philosophical norms as criteria for religious truth and of the extremes of rationalist, critical exegesis. It is the weaknesses endemic to narrative that may cause some to question its sufficiency: the rejection of the philosophical supports needed to sustain Christian truth, an emphasis on divine agency entailing a disdain for apologetics, and a turn to intratextual (rather than correspondence) theories of truth. The work is well-written and moves briskly, but is unconvincing. The steep price will also give one pause.

— Thomas Guarino

RECLAIMING DIETRICH BONHOEFFER: THE PROMISE OF HIS THEOLOGY. By CHARLES MARSH. *Oxford University Press. 195 pp. $35 cloth, $14.95 paper.*

In this book—first published in 1994 but just released in paperback—Charles Marsh of Loyola College in Maryland proposes a way of reading Bonhoeffer's theology that deserves revisiting. He takes up two themes: first, Bonhoeffer's understanding of the possible role philosophy can play in the theological enterprise (seen here in comparison to the position of Karl Barth, which is often, though reductively, thought to be a purely anti-philosophical stance); and second, the meaning of Christian community and its place in Bonhoeffer's thought. What is most significant about Marsh's project is that he demonstrates quite persuasively that these two themes are in fact one, that the philosophical significance of Bonhoeffer's theology lies in its redefinition of human identity within wholly communal and relational terms. One phrase from Bonhoeffer's *habilitation* thesis, *Act and Being*, proves to be the key: "Christ existing as community." Through this transformative insight Bonhoeffer finds the key so many modern thinkers have been looking for: a way beyond metaphysics, or what Heidegger called the "onto-theological tradition." The English theologian John Milbank has claimed, more in hope than with confidence in a realized goal, that "only theology overcomes metaphysics." The achievement of Marsh's excellent book is not only to confirm that claim, but also to show that Bonhoeffer's passionately Christocentric theology is the means by which such overcoming becomes possible.

— Alan Jacobs

ENVIRONMENTAL ETHICS AND CHRISTIAN HUMANISM. By THOMAS SIEGER DERR. *Abingdon. 159 pp. $17.95 paper.*

Derr offers a trenchant argument for an unapologetically "anthropocentric" approach to environmental ethics, followed by two extended responses. James A. Nash of the Churches' Center for Theology and Public Policy vigorously attacks Derr's alleged indifference to the inherent integrity of nature, and Richard John Neuhaus, agreeing with the gist of Derr's argument, calls for a more thoroughly Christocentric understanding of the creation. The result is three quite different perspectives advanced in a very readable manner. Derr has been thinking and writing about environmental ethics for many years, and his essay alone makes the book well worth the price.

THE RIGHT CHOICE. Edited by PAUL T. STALLSWORTH. *Abingdon. 118 pp. $14.95 paper.*

Fourteen sermons and talks advancing the pro-life position on abortion. Recommended as a fine gift for

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clergy whose heart is in the right place but who become stumbling and tongue-tied when it comes to talking about this most fevered of issues in public. Among the contributors are Elizabeth Achtemeier, Richard John Neuhaus, John Cardinal O'Connor, Frank A. Pavone, Terry Schlossberg, and Mother Teresa.

CHRISTIAN FAITH AND THE THEOLOGICAL LIFE. By ROMANUS CESSARIO, O.P. *Catholic University of America Press. 197 pp. $34.95 cloth, $17.95 paper.*

Do not be misled by the title. The "theological life" in the title does not refer to the life lived by theologians, although theologians too, by the extraordinary grace of God, can also live the theological life. The theological life is, quite simply, the life of faith, and it is here examined with wondrous clarity. It is a very Catholic treatment, drawing heavily on Thomas Aquinas and the fathers, and also thoroughly ecumenical in its invitation to all Christians to understand faith as a virtue that anticipates the fullness of the God it trusts. Strongly recommended.

COVENANT AND COMMITMENTS. By MAX STACKHOUSE. *Westminster/John Knox. 224 pp. $18 paper.*

Stackhouse of Princeton Theological Seminary is no stranger to the readers of this journal. The latest book in a series of which he is general editor offers a reflection on sex, marriage, and Christian love that appeals for solid grounding in the Bible and a tradition of moderate Calvinism. A great strength of the present work is that it places current debates and confusions about gender roles, mutual service, and self-fulfillment within a rich tradition of Christian reflection that is theocentrically shaped by the concept of covenant. *Covenant and Commitments* is scholarly in substance, accessible in style, and always wise in its engagement with the everyday perplexities of living Christianly in the world.

THE PRIESTLY OFFICE: A THEOLOGICAL REFLECTION. By AVERY DULLES. *Paulist Press. 81 pp. $7.95 paper.*

With the learning, clarity, and sobriety that mark his distinctive contribution to Catholic theology, Father Dulles here brings together five lectures delivered to priests at Seton Hall University. After considering the relationship between the priest and the Church, he reflects on the priest as minister of the Word, minister of worship, shepherd, and disciple. There is, as usual with Dulles, a deceptive simplicity of presentation, but a careful reading reveals that these brief lectures comprehend with great subtlety the many, complex, and sometimes rancorous debates about the meaning of priesthood since the Second Vatican Council. The author leaves no doubt that in his mind the so-called crisis in vocations is, in fact, a crisis of faith. Get the faith right, he persuasively argues, and it follows that the glory of the priesthood will become luminously clear and attractive.

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THE PUBLIC SQUARE

A Continuing Survey of Religion and Public Life

Richard John Neuhaus

In the Beauty of Holiness

When asked what he most misses since becoming a Roman Catholic, Father George Rutler, a former Anglican, routinely responds, "The liturgy in English." I feel his pain. Most Catholics apparently don't, having never known the King James Bible or liturgy in the tradition of the Book of Common Prayer. Or, if they do, they exercise heroic patience with a Mass that is linguistically pockmarked with banalities and barbarities. In deciding on the lectionary, the book that contains the biblical lessons, what a shame that after the Second Vatican Council the English-speaking bishops were not ecumenical enough to choose the first Revised Standard Version. The New International Version, now most widely used by Protestants, is also immeasurably superior to the New American Bible now used in the Mass. The Catholic story of Bible translation, it sometimes seems, is from the Vulgate to the vulgar. When challenged by the literate, the biblical and liturgical establishment defends the accuracy of the current translation. Accuracy is very important, but it need not be the enemy of felicity, memorability, and clarity.

Now a committee of American bishops has returned from Rome with permission to introduce what may or may not be new mischief, "moderately inclusive horizontal language." We are assured there will be no meddling with "vertical" language that refers to God, which is heretical, but references to human beings will be gender-nonspecific, which is only philistine. Apart from the liturgical establishment and a relative handful of neophyliacs who persist in confusing progress with change, there is no popular demand for "inclusive" language. On the contrary, the evidence is that a great majority of Catholics—and an even greater majority of Catholics who attend Mass at least once a week—do not favor this innovation. Never mind. As the bishop who until recently headed the U.S. committee on liturgy declared in his valedictory, the People of God will just have to get used to perpetual change.

A very different perspective is offered by the new Archbishop of Vienna, Christoph Schönborn, who is one of the most respected theologians in the Catholic world and was chosen by John Paul II to be chief editor of the *Catechism of the Catholic Church.* In a recent interview with *Our Sunday Visitor,* Schönborn said: "To put it in a very blunt way—and I hope I do not sin against charity—I think the whole debate on inclusive language is a short period in a certain phase of modern history which will pass very rapidly. In a few years we will ask ourselves, 'What was the problem?' Equal dignity and the difference between male and female—both are revealed truth and both are essential. Of course, man and woman have the same dignity as creatures, as persons. Nevertheless, to banish gender from language means to banish it from revelation. This is simply nonsense." Schönborn adds that "language is not an arbitrary vestment that you can take or leave. It's not as if the fashion has changed, so we do not wear a certain type of blue jeans any longer. Language, in the biblical understanding, reveals reality."

The adoption of moderate horizontal inclusive fashions in the lectionary is not the end of the world. The bishops who worked this out with Rome feel they have successfully rebuffed zealots here who pressed for more radical changes, and perhaps they have.

But one wonders why the zealots should be setting the agenda in the first place. The bigger question is whether the Catholic Church can regain a sense of worshipping God in the beauty of holiness. This requires a careful reexamination of almost everything done in the last three decades in putting the liturgy into English. There was a time when converts to Catholicism were suspected of succumbing to aestheticism, which is worshipping the holiness of beauty. No more. While there is a dramatic upsurge in the number of adult converts—estimates are 200,000 per year in the U.S. alone—it seems likely that many take the step despite the general liturgical and linguistic slovenliness.

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Apostolic continuity, doctrinal confidence, and sacramental substance cover a multitude of aesthetic sins.

Archbishop Schönborn again: "In a world full of so much ugliness, liturgy should be a rest for the soul, a repose where the soul can breathe. Beauty is not aestheticism. It is not an aim in itself. It is a glimpse of God's glory. We shouldn't stay with the glimpse. I come from Austria where, you know, we have some not-so-bad musicians. On the great feast days, we have a Mass of Mozart or Schubert or Bruckner, and the liturgy is celebrated in our great gothic cathedral, a marvelous space, shining radiantly in morning light. This is really a glimpse of heaven's glory. This Easter Sunday the cathedral was full as I have never seen it. Thousands of people standing, packed, crowded. Why? Because people are thirsting for beauty and for what they rightly feel is behind beauty: the glory of God revealed to us. Heaven opens in liturgy. Beauty in liturgy costs time, love, care, commitment. We must take time for preparing the liturgy, looking for the beauty of the flowers, the songs, the space, incense, candles. All this has nothing to do with pure aestheticism, but is an expression of love. The faithful feel whether in a church there is a love of God. My experience is that, wherever you have a beautiful liturgy, people come. People are attracted, and rightly. We should not say that this is only a superficial attraction. Beauty is one way to God. It should never be separated from goodness and truth. Beauty without goodness is not beauty; so love for the poor has to be cultivated together with love for beauty—and, of course, with love for truth."

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THE TWO RELIGIONS OF AMERICAN JEWS

"Most American Jews have two religions, Judaism and Americanism, and you can't have two religions any more than you can have two hearts or two heads." So writes Adam Garfinkle, executive editor of the *National Interest*, in the Winter 1996 issue of *Conservative Judaism*. The American civic religion, says Garfinkle, is based upon contract and has equality as its central dogma, while Judaism is based on revelation and necessary inequalities, not least the difference between Jews and others. "Moreover—and this is the key—contrary to common comfortable assumptions, the demands that both Judaism and Americanism place upon our loyalties are nearly all-encompassing to the extent that their spirits are taken seriously. Both ways of thinking about society are religious in that they depend on belief in certain values, and both generate universalist social visions from those values. Judaism is less concerned with abstract theology than with deeds, and the power of American values is not limited to the public realm but inhabits the heart as well. Name any consequential public policy issue, and both Judaism and Americanism speak to it with passion and fervor."

Those Jews fool themselves who think that America is innocently secular. Secularity is not neutral but creates a vacuum that is filled with the belief system of civic religion. "Most American Jews have two religions the way some men have one wife and one mistress, or some women one husband and one lover. It is a condition that can be managed, learned from, even enjoyed, sometimes for long periods. But it can never be brought to true conciliation." Those who observe Jewish law, or halakhah, have a view of authority that might be described as distinctly un-American. "In traditional Jewish thought, social and political authority lies in the hierarchical organization of society, which forms an interpretive funnel backwards through time to make God's will knowable and applicable on earth. Individuals are born into a people, and into God's covenant with that people. They are not free political agents, free to interpret the Torah on ill-defined or ambiguous issues. It is within such a paradigm that the Sanhedrin found its basic meaning centuries ago and that the authority of Talmud and post-talmudic responsa finds its binding force today." In addition, being "the chosen people" makes a real difference. "The Jews do not merge with the nations or convert them. They are, said Balaam in Numbers 23:9, a people destined to live alone. Although Jewish ideas are universalist, traditional Jews see themselves in exclusivist terms, a self-perception that has caused endless confusion and resentment among non-Jews. Jewish apologists like to emphasize the special burdens of this role and point to the costs it has exacted on the Jewish people in history—no doubt all true. But that does not change the basic fact, as even a casual reading of central Jewish texts shows, that Jews have believed themselves special, closer to the Divine than other peoples."

Pluralism Is No Answer

While some Jews think pluralism has solved the problem of being both fully Jewish and fully American, the contrary is indicated in ways both large and small. "They are correct in the sense that the enthronement of cultural pluralism in America gives everyone the right to be different, and the right to feel proud of it. Moreover, we have extended the right to be different from individuals to groups; hence affirmative action and class-action suits. As a

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result, thanks to various court decisions, it is now much easier for Jews to be Sabbath-observant in a secular environment than it was twenty-five years ago. Nevertheless, any group of Americans that does not eat hot dogs at baseball games, whose athletically precocious children do not play Little League on Saturday mornings, whose kids cannot sleep over at most neighbors' houses because of concern with *kashrut*, and who feel strange when sent a Christmas card by oblivious coworkers, is not fully American in the cultural sense that most Americans understand the term."

Jewish difference should make a difference, says Garfinkle. "Does the fact that halakhic Jews—as well as the Amish, Mennonites, and others—choose not to partake in the potential universalism of America make them less culturally American? Yes, it does. Does the primacy of group identity among halakhic Jews clash with the individualist ethos of the American ideal? Yes. And no placing of Holocaust Museums in Washington—at base an attempt to turn a Jewish experience into an American one so that American Jews can pretend that the Jewish parochialism they love and cling to and the American universalism they admire and need do not conflict—can change that."

Among non-halakhic Jews, there are arguments between conservatives, neoconservatives, and liberals, but at bottom they are agreed about their ultimate allegiance to Americanism. "Not all non-halakhic Jews hear the same things from the oracles of American democracy, of course; some are conservative or neoconservative and they argue incessantly. When they do, they sometimes raise the question of who is politically correct in Jewish terms. The real ground of these arguments, however, has little to do with Judaism; at best, it has to do with Jews and Jewish parochial interests (like Israel). Thus, 'Judaism' is frequently impressed into the service of the contending sides, but in fact it is the passion of American politics, ideology, and foreign policy that really animates debate. Those both pro and con are engaged with religious energies in a discourse over religious principles, except that the god for whose sake all this is done is not the Holy One, blessed be He, but rather the Republic for which it, the American flag, stands."

Three Ways of Being Jewish

To make *aliyah*, or return to Israel, is important also to secular Jews who are Zionists. Garfinkle writes, "The Jewish people today is divided into three groups, a phenomenon unique to post-Emancipation times. First are those who define their Jewish peoplehood in halakhic terms, the traditional formula. Second are those Israeli Jews who define their Jewishness in modern and avowedly secular national terms, in secular Zionism. The second group will last at least as long as Israel survives and maybe beyond, and the first group as long as halakhah survives. Third are non-halakhic Jews in the Diaspora, including America. What of those who reject both halakhah and *aliyah*? On what basis can their Jewishness endure? If one asks them, they will say that one need not make *aliyah* to be a Zionist and one need not follow halakhah to be a Jew. Despite its popularity among American Jews, this answer makes no sense."

Garfinkle risks treading on some very sensitive toes: "One hates to admit that people like Gore Vidal or Patrick Buchanan are ever right, but those (admittedly few) American Jews who emphasize secular Zionism to define their Jewishness do raise the problem of dual loyalty. It is impossible for people who define their Jewishness solely in modern national terms to explain not emigrating to Israel. As for being a Jew by religion without halakhah, this has been attempted before and the eventual result, with precious few exceptions, has always been the same: failure and assimilation. Taken together, they form a veritable travesty of bad faith." Acknowledging the "optimists" who come up with occasionally hopeful indicators of Judaism's flourishing in the future, Garfinkle is skeptical. "Jews have the lowest birthrate of any American group, and assimilation through intermarriage now exceeds 45 percent. As a result, Jews now constitute 2.7 percent of the American population whereas thirty years ago they constituted 3.7 percent. According to the June 1991 survey done by the Council of Jewish Federations, 87.5 percent of Jews surveyed said that they would accept the marriage of their child to a non-Jew."

A Grim Prognosis

The only promising and believable future for Judaism is for Jews to be Jews. "Withal, ask any serious historian of Jewish life if Jews would have survived as Jews throughout the centuries of exile without halakhah, and you will be told, 'probably not.' Thus, only by assuming that America is not exile (*galut*) for Jews, but more neutrally 'Diaspora,' can we say that dispensing with halakhah carries no danger of cultural extinction. But this assumption, common as it is, is almost certainly mistaken. The American civil religion and the surrounding social ethos have virtually destroyed the power of the Jewish worldview for most American Jews." The prognosis is grim: "It has been nearly two centuries since the Emancipation. In another two, there will probably be no significant non-halakhic Diaspora Jewry in America. Only one thing is delaying this process, and only two things might reverse it. The delaying factor is the State of Israel, which constitutes a focus of Jewish identification outside the normal American cultural context. But the positive association with Israel in the hearts and minds of American Jewry is eroding over time."

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The gravamen of Adam Garfinkle's article is that Jews, especially religious leaders, should stop fooling themselves about what they are doing. "We must speak truthfully about what we find before us. When Reform rabbis choose late-twentieth-century American or Western cultural standards over halakhic ones to render judgment about ordaining homosexuals or women as clergy, or when they officiate at mixed marriages, they are *choosing* to affirm contemporary American concepts of equality and authority and to reject Jewish ones. They are *not* reformulating Jewish tradition within a Jewish framework; they are trying to change Jewish tradition and law by substituting an Americanism whose basic principles are antithetical to Jewish ones."

What Garfinkle says about Jews and Judaism can, mutatis mutandis, be applied to the Christian circumstance in America. From a Christian perspective, however, I would make the argument that Christianity is not "antithetical" to the basic principles of Americanism. See, for instance, my recent article "The Liberalism of John Paul II" (May), in which I contend that we can and should reappropriate and revitalize the American liberal tradition. My strong intuition is that such a reappropriation and revitalization is also possible from an authentically Jewish standpoint. As with the arguments of Christians such as Methodist Stanley Hauerwas and Catholic David Schindler, I think Garfinkle's stark antithesis between Americanism and authentic religion is strategically dead-ended and, in the final analysis, wrong. But of course it is for Jewish thinkers to explain why Garfinkle is wrong. The great contribution of his argument is to underscore that there is a very big problem, which, if not addressed effectively, may well result in the death of Judaism in America.

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CHINA: NOT BY BREAD ALONE

From time to time, I find myself caught betwixt friends who are strongly disagreeing in public. In this case it is Mr. Gary Bauer of the Family Research Council and Father Robert Sirico of the Acton Institute, and the subject is U.S. policy toward China. Bauer has been leading the forces to deny China most favored nation (MFN) status, and Sirico is the champion of free trade. Writing in the *Wall Street Journal*, Fr. Sirico accuses Bauer of ignoring "the difference between urging certain moral ends and using government coercion to bring them about." That is not quite right. Both of them are exercising their prudential judgment regarding which U.S. policy will more likely move China toward democracy and respect for human rights, especially for religious freedom.

Fr. Sirico protests that Bauer is in bed with labor unions and "protectionists," but surely it is in the nature of coalitions that you join with people who might be doing the right thing for the wrong reason. Fr. Sirico asserts, "Economic prosperity through free trade is the most effective distributor of wealth and power, and trade with China is the surest way to break the grip of centralized political power." Well, maybe. The day before the Sirico piece appeared, the *WSJ* carried an article by its editor, Robert Bartley, that more modestly asserted that we should accept the gamble that free trade would lead to an alleviation of China's atrocious record on religious and other freedoms. I confess to more than a little skepticism about the dogmatic assurance of "economic conservatives" that free trade = democracy = peace. Many years ago I worked at the Council on Religion and International Affairs and kept on my wall a letter from its founder, Andrew Carnegie, confidently declaring that "the bonds of sacred commerce" between the U.S., Great Britain, and Germany precluded the possibility of war. The letter was written in the summer of 1914.

In any event, when fellow Christians are being persecuted we have an obligation to speak out as effectively as possible, and it is obvious that one effective way of getting China's attention is to challenge its trade privileges. So I think I'll stay with Gary Bauer and the Catholic bishops of the U.S. in opposing MFN. Against that position, Fr. Sirico says that the Holy See is moving toward "an official recognition of the Catholic Church on the mainland," presumably meaning the regime-approved patriotic church. Perhaps. Rome has its own fish to fry in international diplomacy. I am not privy to the details of that. I am persuaded that Christians in America have the obligation to make as clear as they can their concern for those who are persecuted, and especially those who are persecuted for the faith.

During the late unlamented cold war, we were told to mute our protest because the question of religious persecution in the Soviet Union and elsewhere was being addressed through "quiet diplomacy." Some of us rejected that argument then, and should reject now the not entirely dissimilar argument that the only effective response to political tyranny is the promotion of economic prosperity. As I am sure Fr. Sirico agrees, fat tyrants are no great improvement, especially when they can persuade or force their subjects to live by bread alone.

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Stemming the Epidemic Is Not Enough

The New Republic goes after us again in an editorial called "Obstruction of Justice." "The current wave of judicial bashing," the editors complain, "began in November, when First Things . . . published 'The End of Democracy?,' a symposium decrying judicial activism." And now the editors think it has gone far enough; in fact it has gone much too far. Congress is holding up confirmation of appointees to federal judgeships and thus "obstructing justice." "It is disgraceful," we are told, "that the usual voices of responsible conservatism have not found the courage to say publicly what they must know privately: there is no epidemic of liberal judicial activism." In truth, the editors claim, judges have been pulling in their horns, and they cite the upholding of Proposition 209 in California and the (then expected) Supreme Court refusal to find a constitutional right to assisted suicide.

Regrettably, *TNR* continues to miss the point. The argument is not simply about "judicial activism" but about "the judicial usurpation of politics." It is about government that is not derived from the consent of the governed. Because they are, as presently constituted, political institutions, the courts take fright when challenged and, here and there, temporarily restrain their propensity for making laws. At the moment, the challenge has concentrated the minds of some judges and there may be no "epidemic" of judicial usurpation, but the disease is widespread and entrenched. The search for remedies has hardly begun. The editors of *TNR* say, "Robert Bork, having recently abandoned his proposal for legislative override of judicial decisions as insufficiently radical, now says he wants to end judicial review entirely." As I understand it, that is not an entirely accurate representation of Bork's position, but the questions he is pressing are precisely what is needed if we are to hope for anything better than periodic declines in the epidemic of judicial usurpation.

Coming from a different angle, Ernest van den Haag attacks us in *National Review*. "Where does First Things find the 'higher law' it wishes to be adhered to by the Supreme Court? There is only one answer. We need a theocracy as in Iran or Afghanistan. With all its imperfections, I prefer our current system, a secular republic." The editors of *National Review*, who have been supportive of the First Things initiative, respond by citing the position of constitutional scholar Harry Jaffa "that the Constitution tacitly incorporates the postulates of the Declaration of Independence." "It was not deemed necessary, when the Bill of Rights was argued, to make a case for the fetus or for heterosexual marriage. Dr. van den Haag's position, though seductive, must be approached with caution. It is, after all, mutatis mutandis, a Nuremberg defense."

I would put it somewhat differently. Van den Haag charged that "First Things advocates a moral reading that finds moral principles in the Constitution which are not in the document. I, too, have moral principles. The first one is: Don't read into the Constitution things that aren't there." Although it is certainly not the first of my moral principles, and I hope it is not that for van den Haag, I wholeheartedly agree. The job of judges is to interpret the Constitution accurately, which means to do so in an "originalist" reading that respects what those who wrote and ratified it actually meant. A judge has no business invoking higher law or his own political preferences to make the Constitution say what he thinks it should have said. That is making law, and making law is the legislative prerogative of those who represent the people, who also have the right to amend the Constitution when they deem it necessary. It is not a Nuremberg defense for a judge to limit himself to what the Constitution says. A faithful reading of what the Constitution says, however, must of necessity attend to the moral principles embraced by its authors, including the Declaration's "We hold these truths . . ."

These debates go on and on, as I was reminded in writing the extended essay, "The Anatomy of a Controversy," for *The End of Democracy?*, the book. (See the advertisement on page 92.) At first I thought to write a relatively brief piece of about twenty-five pages, until it became obvious that everybody (or so it seems) was getting in on the act. It turns out that the question of judicial usurpation has produced in many quarters a reconsideration of the basics of democratic government, which is all to the good. Even better would be evidence that those in public office are determined to find ways to check an out-of-control judiciary, such evidence being at present in short supply.

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The Academic Guild and the Church's Faith

Meeting in Minneapolis-St Paul, the Catholic Theological Society of America (CTSA) overwhelmingly approved—by a vote of 216 to 22—a report on "Tradition and the Ordination of Women." The week before the vote, Archbishop Charles Chaput wrote: "For members of the CTSA to revisit this teaching at such a late date, when so

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many other urgent issues face the Church, is more than just disappointing. It will not solve the vocations problem. It creates unnecessary and belated confusion. And it raises questions about the CTSA's continuing usefulness for the life of the Church. As a bishop, it is certainly my counsel and hope that the CTSA will retire this document as briskly as possible." But of course his counsel and the urgent counsel of others was not heeded.

The CTSA report was couched in terms both academic and deferential to the Church's teaching authority. Tonalities aside, however, the substantive reality is a rejection of the authority of the Church's magisterium. Pope John Paul II solemnly declared that the Church is not authorized to ordain women to the presbyterate. In response to an inquiry, the Congregation for the Doctrine of the Faith, with the express approval of the Pope, said that teaching is infallible. The CTSA disagrees. Rhetorical cautions notwithstanding, it has invited a wide-open debate of the question, and it is no secret that many, perhaps most, of its members strongly favor the ordination of women.

There are many pieces to this development, and it will receive more thorough attention in a forthcoming issue. Suffice it for the moment that the CTSA action will exacerbate confusions, but it does not create a crisis, except for the future of CTSA and the academic guild that it represents. In the words of Archbishop Chaput, "It raises questions about the CTSA's continuing usefulness for the life of the Church." And it raises questions for the Catholic colleges and universities in which the several hundred members of CTSA teach.

There is considerable disagreement about the criteria to be met for a papal declaration to be infallible. The only undisputed exercise of infallible teaching authority as specified by the First Vatican Council was the definition of the Assumption of Mary in 1950. There can be no disagreement, however, that in deciding what teachings of the Church are infallible, the members of CTSA have substituted their own judgment for the judgment of the Pope and those authorized to speak in his name. In making that substitution, it would seem that CTSA has abdicated any claim to being an ecclesial body with some role, however ill-defined, in the Church's teaching ministry. The upshot of the CTSA action is that it is now on record that two hundred-plus Catholic teachers of theology in colleges and universities do not agree with what the Pope, the bishops, and unbroken tradition say the Church teaches. At this late date, that will hardly come as news to anybody. The news is that the CTSA as an organization has—its claims to the contrary notwithstanding—withdrawn from the community of ecclesial reflection devoted to ever more clearly expressing and transmitting the Catholic faith, which is perhaps just as well.

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PRESIDENT CLINTON AND THE WHITE RACE

"E Pluribus Unum." "Out of the one, many," as Vice President Gore translated it. That received some derisive comment, but nothing as compared with Dan Quayle's adding an "e" to the spelling of potato. Maybe that is because Gore's blooper was not a blooper. It accurately reflects the policy of this Administration. The term for that policy is multiculturalism—as in David Dinkins' "gorgeous mosaic," as in the comment of the White House aide who cheerfully announced that by the year 2050 there would be "fifty million Muslims in the United States." As, most notably, in President Clinton's San Diego commencement speech on race relations.

"Can we become one America in the twenty-first century?" Clinton asked. In answer, he lifted up the state of Hawaii, which "has no majority racial or ethnic group. It is a wonderful place of exuberance and friendship and patriotism." Lest anyone miss the point, he declared more flatly, "A half century from now, when your own grandchildren are in college, there will be no majority race in America." There are several assumptions here. First, that immigration will continue at well over a million per year, and involving mainly nonwhite populations. Second, that the birth rate of immigrants will far exceed that of the native born. Third, that this is inevitable, the American people having no say about it or else having agreed that this would be a good thing. Fourth and most troubling, that the current majority consists of a race called white people.

The polite term for this is racialism. The more common term is racism. Apart from Aryan militia circles, few nonblack, non-Asian, non-Hispanic Americans think of themselves as belonging to the white race. Clinton was criticized by many for not backing up his words in San Diego with an announcement of new policy initiatives. The alarming thing about the speech, however, was the resurrection of the idea of a white race, an idea from the era of Bull Connor that most of us hoped was definitively past. Pitting the "majority race" against nonwhite claimants to justice is a sure formula for exacerbating the tensions that Clinton says he wants to heal. It necessarily involves, among other things, the discredited and profoundly unjust policies of affirmative action and quotas that, not surprisingly, Clinton strongly defended in San Diego.

We have agreed in these pages with those who say we must regain control over immigration policies that are manifestly out of control. We have strongly disagreed when they say that race should be a factor in shaping immigration policies. No good can come from asking the American people, as some say they should be asked, whether they think it is a good idea

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that fifty years from now a majority of the population should be nonwhite. That is a racialist, if not racist, way of posing the question. Regrettably, albeit from the other side of the immigration debate, that is the way President Clinton has posed the question.

Multiculturalists and the champions of a white majority have in common the aim of raising race-consciousness, and in this they powerfully reinforce one another. To tell the majority of Americans, as Clinton did, that they should "celebrate" the prospect that in fifty years most Americans will not be like them is politically stupid and morally wrong. It is politically stupid because most people think that being like them is a pretty good thing. It is morally wrong because it invites the majority of people to identify themselves by race. The most long-standing and divisive struggle in American history—from abolition through the civil war to the civil rights movement led by Martin Luther King, Jr.—has been to overcome the racial mindset endorsed, however inadvertently, by Bill Clinton. Good arguments can be made for continuing to welcome a large number of immigrants to this country. But does the President really want to frame the public debate in terms of the proposal that a half century from now there will be no majority race in America? One earnestly hopes not.

FT

WHILE WE'RE AT IT

■ Do we have a subscription agent? We would like to think we have about thirty thousand of them. They are subscribers like you who give gift subscriptions to others—and who send us lists of family members, friends, and associates to whom we can send a sample issue of FT. Think of how grateful they'll be. You win, we win, they win. If that sounds like a very good deal, it is.

■ It has been observed that when you come across an article titled "Whither Incest?" you somehow know it's not going to be a vigorous defense of the prohibition against incest. Something similar obtains with the title of a San Diego conference sponsored by the Association of Adventist Forums, "What is a Person? How to Decide Which Human Lives are Precious." The forums are sponsored by the Seventh-Day Adventist Church, a generally conservative body with about eight million members worldwide. The featured speaker at the San Diego meeting is Dr. Jim Walters of Loma Linda University, an Adventist institution. By way of contrast to what are called the "physicalist" and "personalist" positions, Dr. Walters proposes his own answer to the question, "What is a Person?": "I advance a middle, common-sense approach, *Proximate Personhood,* arguing that the greater the proximity or nearness of the individual to that of undisputed personhood—such as the reader of this [article]—the greater the individual's moral status. I see this approach reflecting E. G. White's view that human nature is distinct in that it resembles a divine ability *to think and to do.*" Proximate personhood. Very interesting. One hopes that the recommended bibliography for the conference will include some excellent works in that vein written by German scholars in the 1920s and '30s.

■ You can't please everybody. Professor Richard Stith of Valparaiso University Law School tells me there are folk who think this journal does not take a strong enough stand against abortion. They are starting a new publication—*First People, Then Things.* He's kidding of course. I think.

■ Shortly before his death, the French writer André Malraux said, "The twenty-first century will be religious or it will not be at all." Many might take that as unqualifiedly good news, but I think that is a mistake. Religion is as riddled through and through with the capacity for evil as any other dimension of human life. For many reasons, Christianity is more favorably situated at the edge of the third millennium than its chief culture-forming rival, Islam. Recently, Vatican officials, among others, have noted an increasingly violent encounter between Islam and Christianity. Last year a Catholic bishop was slain in the Philippines, and so far this year there have been new Muslim attacks against Christians in Uganda, Pakistan, Egypt, and Indonesia. Jesuit Father Thomas Michel, a student of Islam, observes, "Previously, I think we had this unexamined idea of [Muslim-Christian] dialogue that ties in with a historical optimism that things were going to continue to get better. Now I think we understand that dialogue has got to be carried on in the worst of situations, at all times." Bat Ye'or, a French scholar born in Egypt, has published a sobering account of Christian-Muslim relations through the centuries, *The Decline of Eastern Christianity under Islam: From Jihad to Dhimmitude* (Fairleigh Dickinson University Press). (See notice in Briefly Noted.) In the foreword, noted French Protestant scholar Jacques Ellul writes, "The world, as Bat Ye'or brilliantly shows, is divided into two regions: the *dar al-Islam* and the *dar al-harb*; in other words, the 'domain of Islam' and the 'domain of war.'" Jihad and dhimmitude (the subjection of non-Muslims) is, he writes, a permanent institution of Islam, and the West is all too slow in awakening to the fact that the current phase of Muslim aggression has been going on for some years. The dialogue that

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Fr. Michel rightly sees as an undeniable imperative for Christians must be conducted within the context of conflict depicted with such stark realism by Bat Ye'or and other scholars.

■ Postmodernism is a bad thing. That is the received wisdom among almost all stripes of conservatives. There is another view, however, that has been popping up from time to time over the last ten years or so in which postmodernism has been a hot topic. It is represented by, among many others, Thomas A. Howard of the University of Virginia, who is writing in the *National Interest* on the Swiss-German historian Jacob Burckhardt (1818-1897): "Finally, Burckhardt's anti-modernism is relevant to our 'postmodern condition.' While one does well to eschew the extreme relativism and irony of postmodernism, we must also recognize that the current moment, for all its shortcomings, has fostered a healthy recognition of the limits and indeterminacy of human thought, action, and language. It is no accident that Burckhardt's Augustinian sensibilities are mistaken as proto-postmodern ones by theologically unsophisticated contemporary critics. This case of mistaken identity suggests that certain aspects of postmodernism may hold much in common with a more traditional, religion-based anthropology and epistemology. While orthodox religiosity and postmodernism are certainly far from soulmates, the current tendency toward wholesale dismissal of postmodernism among both pious and nonpious conservatives may not, in the final analysis, reflect judicious insight. Rather, perhaps it only represents a conditioned negative response to novelty. Yet as St. Augustine reminds us in his famous reply to Tertullian, one often must take from the spoils of Egypt, yet put them to better use." Many religious thinkers are attracted by postmodernism's accent on the limitations of reason, against the hubris of Enlightenment rationalism. But the Christian tradition cannot survive unmutilated postmodernism's abolition of reason. Howard is right to caution against "a conditioned negative response to novelty." I continue to think that postmodernism in its several forms is much more enemy than ally. On the other hand, there is indeed venerable precedent for turning the spoils of Egypt to the service of truth and this may happen in the years ahead with postmodernism, although by then it will likely be called something else.

■ Our Midge Decter, reviewing Barbara Dafoe Whitehead's *The Divorce Culture* in the *Public Interest*: "The truth is, the divorce culture has come upon us not as the result of our selfishness—people have always been selfish—and not as the result of the tension between the sexes—that tension has been a permanent fixture of human existence—and not out of any unconcern for our children—children have seldom in history been so much attended to and so kindly treated as ours. The disarray, so well described in *The Divorce Culture*, is brought about by the fact that the lives we lead are in respect of ease and comfort and confidence and good health simply unprecedented. Never have so many, even the poor among us, had so much. We are disoriented. We do not know whether to laugh or to cry; we do not know whom or what to thank; and we cannot think of what there might be to want next. And so we giggle and preen and complain and forget our debts and keep on seeking for things (and sometimes finding them). In short, there is no merely social cure for what ails us. But Barbara Dafoe Whitehead has at least helped us to stop kidding ourselves about one aspect of our lives, and that is a help. The rest—who knows?—may require the power of God himself."

■ The former treasurer of the Episcopal Church is currently serving five years for embezzling $2.2 million, and in the wake of that disaster questions are being raised about the use of $220 million in trust funds for which the treasurer was responsible. The *Washington Times* reports, for instance, that one $2.3 million trust has been used to advocate support for the abortion license even though it was established "for support of parishes and churches to directly or indirectly, through educational enterprise or otherwise, contribute toward the preservation of the republican form of government in the United States." Alas, that is no doubt the mandate that Presiding Bishop Edmond Browning and the Religious Coalition for Reproductive Choice would claim they are fulfilling in promoting abortion on demand. The story of philanthropy in America is that it makes very little difference what the original donors had in mind.

■ Barry Lynn is one of those fellows I've been bumping into for years on the lecture circuit. Having served briefly as a United Church of Christ minister, Lynn went to work for the ACLU, and since 1992 has headed up Americans United for Separation of Church and State. Under his leadership, AU has grown to fifty thousand members, with assets of $6.5 million, twenty-two employees in a handsome Washington townhouse, and an annual budget of $2 million. In the words of the *Wall Street Journal*, "Mr. Lynn and his followers are pioneers in the growing field of self-appointed IRS snitches—tax-code vigilantes attempting to help the government police the porous border between tax-exempt organizations and the election campaign activity from which they are legally barred." The *Journal* has been tracking the sharp increase in IRS audits of mainly conservative tax-exempt organizations, including the Institute on Religion and Public Life. Lynn and his colleagues have focused their attention chiefly on local churches associated with conservative politics. Americans

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United lost its exempt status in the 1960s and then regained it in 1980, after which, according to Lynn, it has had no problems with IRS. A larger question that Congress should address is the way in which IRS criteria of "nonpartisanship" can impinge seriously on the constitutionally guaranteed free exercise of religion. Viewed from its partisan perspective, the vigilantism of AU is not surprising. What is a little surprising is that the agitation over tax-exemption is prompting some people, also on the conservative side of the line, to urge that churches should, for the sake of moral purity and freedom of action, give up their tax-exempt status. The most persuasive argument against that position is still Dean Kelley's book of some years ago with the straightforward title, *Why Churches Should Not Pay Taxes.*

■ So proud were we of our avoidance of any mention of the O. J. Simpson case when everybody else seemed to be going berserk over it. But now we are provoked by Dennis Prager's newsletter, the *Prager Perspective.* He quotes Henry Louis Gates, Jr., head of African American studies at Harvard: "People are saying it's a black verdict and a white verdict. But I prefer to think of it as a wrong verdict and a right verdict." The editors of the *New York Times* went so far as to say, "The facts justified two trials and two verdicts." We've been cautioned against using the word "intriguing," but that's intriguing. Justice required that he be found both innocent and guilty of murdering his ex-wife and her boyfriend. Prager: "The *New York Times* editorial not only defended the first verdict, it also took a swipe at whites while omitting any criticism of blacks. The Simpson case, the *Times* editorialized, led 'to stereotyping by bigoted whites and distrust of the legal system among many blacks.' Yet the truth was quite the opposite. The O. J. Simpson case gave impetus to bigoted blacks and led to a distrust of the legal system among many whites." Prager suggests that most blacks saw Simpson as a black man accused of murder, while most whites saw Simpson as a man accused of murder who happened to be black. He writes: "Many members of minorities, especially those that have been persecuted, walk around thinking that when people see them, all they see is their minority identity. Thus, to most blacks, a black man, again, was on trial for a terrible crime. But what made this black man different was that his crime was the most publicized crime of this generation. To most blacks, it is almost inconceivable that most whites saw O. J. Simpson, not a black man." Blacks and whites, contra the general media line, do not have two different views of the criminal justice system that led blacks to think O. J. innocent and whites to think him guilty. Blacks, too, thought he was guilty, but also enjoyed seeing a black man "beat the system." Prager again: "Most whites were furious at Simpson's acquittal. They saw Simpson as a murderer, not as a black, just as they saw the Menendez brothers as murderers, not as Hispanics. Most whites simply saw a murderer get away with murder. So, ironically, thanks to Johnny Cochran, to the race obsession of many blacks, and to the media which fed on the race aspect of a case that never began as one, white anger at a murderer acquitted was imagined by most blacks as white anger over a black man acquitted."

■ What kind of bias is it when *Human Rights Watch 1997* lists fully staffed projects aimed at protecting the human rights of alleged victims of multinational corporations, journalists, academics, drug users, gays and lesbians, and prisoners, but nothing on religious believers who are subjected to worldwide persecution? The publication is put out by Human Rights Watch, based in New York and chaired by Roland L. Bernstein. Antireligious bias, perhaps. Class bias, certainly, in the case of journalists, academics, or gays and lesbians, who are, in the view of the human rights establishment, "our kind of people." Anticorporate bias, possibly. Prisoners, on the other hand, are in the certified victims category. Of course everybody should have their human rights protected, but it is manifestly very difficult for the knowledge class in this country to gin up sympathy for religious believers who do not belong to exotic groups, and especially for Christians who, everybody knows, are not victims but victimizers. Never mind that, as evidenced in China, Vietnam, Sudan, Saudi Arabia, and elsewhere, Christians are far and away the largest group targeted for brutal persecution in the world today.

■ Mr. Kenneth Roth, executive director of Human Rights Watch, gets in deeper and deeper. He has been critical of Nina Shea of Freedom House and others for raising the alarm about religious persecution in China. This is an instance of "special pleading," says Mr. Roth in an interview with *New York* magazine. Anyway, he says, victims of religious persecution have been a "core concern" of Human Rights Watch. Unlike drug users, children, women, prisoners, journalists, academics, gays and lesbians, and alleged victims of multinational corporations, victims of religious persecution "never suffered much neglect." Then Mr. Roth did an interview with the *Toronto Star* in which he challenged claims by Shea and others that there has been a dramatic increase in anti-Christian persecution. "How does she know?" he asks. "I have a hard time understanding that when no one has been keeping track until now." So it seems that religious persecution is a long-standing core concern of Human Rights Watch but nobody, including Human Rights Watch, has been paying attention to it until now.

■ The Interfaith Alliance styles itself as a "mainline"

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alternative to "extremist" groups such as the Christian Coalition, and it recently enlisted Walter Cronkite to sign a promotional letter on its behalf. The Alliance is funded in significant part by the Democratic Party, but the letter declares that its national board includes "some of America's most distinguished religious leaders," who are "as diverse as America." Mark Tooley of the Institute on Religion and Democracy comments: "The Interfaith Alliance's board is about as diverse as a Soviet politburo during the empire's final, geriatric years. Yes, some were bald, others had bushy eyebrows. Some came from Leningrad, others from Minsk. Some were septuagenarians, others were octogenarians. Soviet leadership diversity ended there. So too for the Interfaith Alliance, whose board is comprised almost entirely of the tired voices of 1960s church activism, the last era of glory for the Religious Left. There are the usual suspects from the reliably anachronistic National Council of Churches. There are two Catholic bishops from the church's left-fringe. Three liberal rabbis. And several black denominational leaders who shun the social conservatism typical of most black churches." Tooley then offers a person-by-person profile of the "most distinguished religious leaders" on the Alliance board. It is a trip down memory lane for those who were there during the radicalisms of the sixties, but it may be instructive for young people who have not reached the half-century mark. For the complete text, write Mr. Tooley at IRD, 1521 16th Street, NW, Suite 300, Washington, D.C. 20036.

■ "By their fruits ye shall know them" is subject to sundry interpretations. An interpretation of more than usual interest is offered by Episcopal bishop Walter C. Righter, who ordained actively gay Barry Stopfel and was subsequently tried for heresy and acquitted. According to the *Sunday News Journal* of Wilmington, Delaware, "Righter said Stopfel's ministry proves he merited ordination. 'He had a Christmas offering this year of $26,000. That's the highest offering of any church on the East Coast. What's that to be afraid of?'" Cash box and case closed.

■ Elizabeth Kastor of the *Washington Post* extolling a priest who died of AIDS: "A man who had taken a vow of celibacy he privately repudiated, a man who loved being a priest so much he was willing to accommodate himself to a life of irreconcilable contradiction." This in a culture where the word "hypocrisy" is otherwise so readily employed.

■ I have been glad to play a little part in brokering some meetings between members of the Bruderhof and Catholic prelates. For Catholics, such meetings may seem like no big deal, since Catholics are ready to talk with everybody. But those in the Anabaptist tradition of the Bruderhof have a better memory of the bloody history of religious warfare in which Catholics and other Christians did terrible things to their forebears. For them, these encounters are historic events without precedent in the past four hundred years. My own bishop, John Cardinal O'Connor, has in this, as is in so many other instances, extended himself very generously. This is also an occasion to give some notice to the work of the Plough Publishing House, run by the Spring Valley Bruderhof (RD 2, Box 446, Farmington, PA 15437). They have brought out some disarmingly simple and engaging books by Johann Christoph Arnold, including *Hopeful Parenting in a Confused World* and, a particular useful work, *A Plea for Purity: Sex, Marriage, and God.* The latter carries a foreword by Mother Teresa. For more information, write to Plough at the above address. (In April, Dan Rather and CBS did a scurrilous profile of the Bruderhof, depicting it as an authoritarian, sexist cult, among the usual hokum. More on that, space willing, next month.)

■ I reviewed Father Thomas Reese's *Inside the Vatican* (Harvard University Press) for the *New York Times Book Review* (March 2, 1997) and will not repeat what I said there. Suffice it that the book is a generally reliable guide to the inner workings of the Holy See, although seriously marred by Fr. Reese's exaggeration of theological dissent and his view that the papacy should be a kind of clearing house for the Church restructured as a confederation of national churches. There is another point that should be on the record, however. We pray it will be a long time off, but at some time there will be an election of a new pope. Fr. Reese believes that the new rules for electing a pope issued by John Paul II (*Universi Dominici Gregis,* succeeding *Romano Pontifici Eligendo*) make it easier for the conclave of cardinals, most of whom have been appointed by the present pope, to elect a "conservative" in his image. Leaving aside the peculiar use of conservative/liberal categories with regard to a pope, the change in the rules is that if, after thirty inconclusive ballots and many pauses for reconsideration, the conclave is still deadlocked, it can be decided by two-thirds of the cardinals that a pope can be elected by an absolute majority rather than by two-thirds plus one of the ballots cast. Before, such a change in the event of a deadlock required unanimous agreement by all the electors. Such a deadlock after thirty ballots is exceedingly unlikely, and the new rules simply intend to avoid the remote possibility of a conclave dragging on interminably without being able to reach a decision. When, we pray many years from now, the conclave is held, it will be worth keeping this note in mind, for you can be sure that there will be mischievous commentators who will exploit Fr. Reese's concern in order to suggest that the new pope was not elected fair and square. Of course conspiracy buffs have had a heyday with papal

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elections for centuries, and no set of rules is likely to change that.

■ Among the more reflective comments on the disaster in Rancho Santa Fe is offered by David Gelernter of Yale. The lethal course chosen by the followers of Heaven's Gate reflects, he says, a naked public square in which authentic religion has been marginalized. "Evidently, the cult's goal in recent years was to 'overcome' any attachment to money, sex, and family life, and to live in a strictly authoritarian community—a re-creation of the poverty, chastity, and obedience of Christian holy orders. Its members seemed to reach repeatedly for traditional Christian ideas and come up bare—their souls needed religion but their minds were stocked only with Hollywood junk." We should, writes Gelernter, recognize the desperation behind these suicides. "The idea that suppressing religion in the public square could actually *mean* anything or have consequences is, for the average sophisticate, a proposition to snort at. Yet here we are as a nation starved for religion, and the hunger is fiercest at upper social levels, where people set up shop as Web-page designers. The fundamentalist churches are doing fine, but they don't do much business among the technological elite. When the old religions are reeling, people cobble together new ones. In spiritually ignorant times like ours the new ones won't be much good, generally speaking, but people need *something*. Environmentalism is a favorite religion nowadays; its leaders are explicit about its spiritual side. You can't display the Ten Commandments in public schools these days, but teachers are encouraged to peddle recycling dogma. Environmentalism is not for everyone, though, and it seems likely that the tragedy of Heaven's Gate is the story of spiritually famished people whipping up a religion like island castaways piecing together, in their dire need, a semblance of civilization out of driftwood and spit." As air pollution is worse in some places than others but finally touches all of us, so it is also with the cultural pollution produced by the banishment of religion. "Today's crusade against religion has done the same sort of thing. Most of us shrug it off. The crusaders keep hitting us, but we can take it. The stronger among us remain Christians and Jews in the old sense, or find satisfaction in America's new secular religions. The weaker join cults. The weakest die."

■ David Foster of the Associated Press is partly right. He notes that there is a connection between Christianity and the suicides in Rancho Santa Fe. The connection is that Heaven's Gate is a current and especially bizarre version of an ancient Christian heresy called gnosticism. The lesson to be drawn is that it is very important to get Christian teaching right. The lesson drawn by Mr. Foster is that there is something dangerously crazy about Christianity. "But thoughts of death and resurrection are hardly confined to California cults, especially around Easter. The story of Jesus' dying on the cross and rising from his tomb lies at the core of Christianity. . . . A few would blame Christianity itself for the route [Marshall] Applewhite and his followers followed. The Bible is filled with absurdities, said Ann Gaylor, president of the Freedom From Religion Foundation, an atheist group based in Madison, Wisconsin. Although commentators warned of 'cybercults' recruiting followers on their Web sites, most failed to note that the Vatican has a Web site, too." How could they have missed such an obvious connection with the thirty-nine suicides in California?

■ Among the more acute commentators on the collective suicides at Rancho Santa Fe is Leon Wieseltier in *The New Republic*. "The ascetic hackers in Rancho Santa Fe busied themselves with speculation about the fate of the soul, about the relation of the soul to the body, about the consequences for the inner world of traffic with the outer world. These are old and good and hard subjects, and I cannot say that pondering them is in any way less important that pondering, say, 'the iron law of stardom,' or what makes Miramax tick. Those who dwell on the religious themes always run the risk of seeming unsophisticated; and if they are really lucky, they will not only seem unsophisticated, they will also be unsophisticated. A great writer said to me many years ago that 'the truth, whatever it is, is strange.' I felt castigated by his remark. We were sitting on a summer lawn in Vermont and speaking about the gullibility of intellectuals, and he counted gullibility among the sins of his own life; and what struck me was the humility of his tone. Think strictly, he was saying, and expect an unexpected result. The important thing, in the analysis of existence, is never to care about embarrassment." Wieseltier is certainly not approving of what the Santa Fe group did, but he is rightly contemptuous of the "cult experts" and others who treat them as weirdos beyond the pale of sanity. "So they got out, spaceship or no spaceship. I hope it was good, though I can't see how. I can see that the wrong answers to the right questions are preferable to the right answers to the wrong questions."

■ So the Department of Defense issued this directive forbidding chaplains to urge folk to write Congress on the partial-birth abortion ban. This did not sit at all well with the Becket Fund for Religious Liberty, headed by the formidable attorney Seamus Hasson. They took it to the United States District Court for the District of Columbia, which forcefully reminded the Pentagon that we still have the "free exercise" provision of the First Amendment, and the Religious Freedom Restoration Act to boot. One imagines some desk general asking, "Who will free us from

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this turbulent Becket Fund?"

■ "Just one year ago," says a publication of Focus on the Family, "it appeared that the Christian church in America was on the way out—out of people's hearts, out of their schedules, and out of their lives." But now the Barna Research Group has done another annual survey, and things are looking up. To premise one's view of the state of Christianity in America on an annual poll is worthy of Dick Morris and his former employer in the White House. Nonetheless, the rest of the story is not without interest. "Barna's research for 1995 and 1996 showed that 39 percent of Americans adults were 'born again.' This year's study, released last Friday, shows the portion of born-again adults has increased to 43 percent. In Barna Research surveys, 'born-again Christians' are those who have 'made a personal commitment to Jesus Christ that is still important in their lives today' and who believe they will 'go to heaven because they have confessed their sins and have accepted Jesus Christ as their savior.' People who call themselves 'Christian,' but do not fit the 'born-again' criteria are classified as 'not Christian.' So, where are these new Christians, when so many churches in America are showing membership declines or zero growth? According to Barna, the increase is 'largely due to the rapid expansion of born-again Christians within the Catholic Church.' In 1995, only one-fifth of all Catholic adults (22 percent) were born again. Today, almost one-third (31 percent) fit the classification—a 41 percent increase in two years! Catholics now constitute 16 percent of the adult born-again population—one of every six born-again Christians—trailing only those associated with Baptist churches (31 percent)." The increase in the number of Catholics who fit Barna's definition of "born again" is striking, and a number of possible explanations suggest themselves, but it is a truncated and non-Catholic view of Christian faith that counts as "not Christian" those who decline to jump through the formulaic hoops of an opinion poll.

■ In Etowah County, Alabama, Judge Roy S. Moore has refused to obey a higher court order to remove the Ten Commandments from his courtroom wall. In April, thousands of citizens, organized by groups such as the Christian Coalition and the American Family Association, rallied in Montgomery, the state capital, to support the judge. And the governor supports them, declaring his readiness to use state troopers to resist any interference with Judge Moore's courtroom. Barry Lynn of Americans United for Separation of Church and State, a Washington lobby, contends: "The organizers of this rally are courting anarchy and promoting theocracy. Many Christians have been fooled into thinking this really is about support for the Ten Commandments. In fact, it's about opposition to the rule of law and church-state separation. When public officials threaten to defy lawful court orders and vow to enforce their personal religious agenda, the American form of government is placed in jeopardy." The concerned citizens of Alabama, on the other hand, contend that they are acting on their democratic right and obligation to restore the rule of law by supporting a public symbol of judicial accountability to "the law of nature and of nature's God," as the Founders put it. Now how do you suppose this disagreement might be resolved? It seems it cannot be decided by the higher court, since its role is the very matter in dispute. Mr. Lynn might be asked to adjudicate the matter, but one gets the impression that he has already made up his mind. So perhaps it will have to be decided by the people of Alabama petitioning for the redress of grievance and acting through the representative means of government established by their constitution. Why do so many Americans today think that is a dangerously radical idea?

■ "You exaggerate the decline in the number of Jesuits," a reader complains. Well, maybe, but all I said is that there had been a sharp decline in recent decades. Another reader sends the pertinent data from "Demographia in Societate Iesu." In 1960, counting scholastics, novices, brothers, and priests, there were 34,687 Jesuits, with a pattern of as many four hundred additions each year. In 1966, the numbers started to go down, with over a thousand leaving or dying in some years. In 1996, there was a decline of 353, leaving 22,227 Jesuits in the world. I think that meets any reasonable definition of "sharp decline."

■ Nobody has ever suggested that modesty is Norman Mailer's strong suit. He has now written an "autobiography" of Jesus, *The Gospel According to the Son* (see J. Bottum's review in this issue, page 53). Random House sends out an interview with Mailer in which he says he felt up to the challenge of speaking for Jesus because his own status as a celebrity has endowed him with "a *slight* understanding of what it's like to be half a man and half something else, something larger." Mailer goes on: "'Obviously, a celebrity is a long, long, long, long way from the celestial,' he said, 'but nonetheless it does mean that you have two personalities you live with all the time. One is your simple self, so to speak, which is to some degree still like other people, and then there's the opposite one, the media entity, which gives you power that you usually don't know how to use well. So the parallel was stronger than I realized.'" According to Michiko Kakutani of the *New York Times*, in Mailer's account God the Father and Son "are fond of self-dramatization, and both tend to feel put upon by their public responsibilities. . . . In trying to describe Jesus and God as accessible novelistic characters, Mr. Mailer

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has turned them into familiar contemporary types: he has knocked them off their celestial thrones and turned them into what he knows best, celebrities." One gathers that the book conveys a *slight* understanding of what it's like to be half repulsed and half something else, like bored.

■ I keep explaining that this is not a newspaper, not even a newsletter about all and sundry. But readers keep asking why I didn't comment on this or that. So let me preempt the letters by saying that the appointment of Archbishop Francis George to Chicago is an altogether splendid development. Archbishop George, formerly of Portland, Oregon, is a dear friend and has worked with our institute, making most particular contributions in the theological conversations connected with "Evangelicals and Catholics Together." He is a man of deep faith, vibrant orthodoxy, immense learning, and great personal charm. With those who disagree with him, he has an unflappable and disarming capacity for dialogue that is always in service to the truth. Had the Pope asked me who should be appointed to Chicago, which he certainly did not, I could not have come up with a better answer than Francis George. Need I say that he will need our prayers?

■ George Gallup stays with it, polling the religion pulse of the nation. The 1997 report is that 96 percent of the people say they believe in God (95 percent in 1996) and, as has been the case through the 1990s, nearly 60 percent say religion is "very important" in their lives. From which one may infer that at least 35 percent do not know what it means to believe in God. An alternative explanation is that they are theologically sophisticated and know that the sovereignty of God is in no way limited to the dimension of life called "religion." If you believe that, I have a bridge in which you might be interested. Those who say religion is very important: 65 percent of women, 47 percent of men; 81 percent of blacks, 64 percent of Hispanics, 54 percent of whites; 48 percent with post-graduate education, 61 percent with no college; 79 percent who call themselves very conservative, 43 percent of the very liberal; 64 percent of Protestants, 53 percent of Catholics, 23 percent of Jews; 71 percent of church members, 30 percent of those who are not members. In addition, 30 percent of adults believe "The Bible is the actual word of God and is to be taken literally, word for word." Fifty percent believe "The Bible is the inspired word of God, but not everything in it should be taken literally, word for word." Seventeen percent agree with the statement, "The Bible is an ancient book of fables, legends, history, and moral precepts recorded by men." (The poll did not ask how many—among the *really* liberal—thought the Bible was made up also by women.) These are not necessarily first things, but they are things I thought you might like to know.

■ On Tuesday, September 9, in Muskegon, Michigan, I will be in a day-long public dialogue with Rabbi David Hartman of Hebrew University in Jerusalem. The theme is "The Word of God and the Interpretive Communities: Possibilities for Self-Correction." The conversation will be moderated by Krister Stendahl, former bishop of Stockholm and former dean of Harvard Divinity School. For further information, contact Ms. Sylvia Kaufman at P.O. Box 6, Muskegon, MI 49443 (telephone 616-722-6681; fax 616-725-8585).

■ The turmoil continues at Union Theological Seminary in Richmond, Virginia, a Presbyterian school where biblical scholar Jack Kingsbury is the object of the very illiberal liberalism of students and faculty who suspect him of something very much like Christian orthodoxy. The day before the May meeting of the seminary's board of trustees, students posted all over campus a letter from Charles A. Hammond, executive presbyter of the Presbytery of Philadelphia. Hammond wrote that, so long as the administration did nothing about the harassment of Kingsbury, "I cannot in good conscience recommend Union graduates for pastorates in our Presbytery." Notices such as that have the salutary consequence of concentrating the minds of seminary trustees.

■ Among the many responsibilities to which I do not do justice is serving on the board of trustees of the University of Dallas. It is a splendidly Catholic school that is open to all, and is distinguished by a concentration on liberal arts that is unapologetically centered in the classical tradition. One of its luminaries for many years was the philosopher Frederick D. Wilhelmsen, who died in May of last year. He was a thinker and writer in the lineage of Etienne Gilson, Chesterton, and Christopher Dawson. In the taxonomy of contemporary conservatisms, Wilhelmsen would be called a "paleoconservative," but that hardly does justice to the range and verve of his philosophical engagement with what he called "the Catholic thing." Father James Lehrberger, a Cistercian, offers this tribute in the *Intercollegiate Review*: "As Professor Wilhelmsen's faith supported his reason, so did his reason buttress his faith. He found the idea of an 'irrational faith' a contradiction in terms. Not for him was Kant's destruction of reason to make way for faith; not for him was the 'I believe because it is absurd' theology of Tertullian or Kierkegaard; and certainly not for him was any faith that defined itself as a 'leap in the dark' rather than as a walk in the Light. Likewise, he could not abide any view of faith and reason which sealed off in airtight compartments each from the other, as though they had nothing to do with each other. Intellectual

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schizophrenia marked anyone who would leave his deepest convictions at the door of his study when thinking, or drop off his mind outside the church door when praying. Still less did he countenance any rationalizing of faith. The mysteries of faith remained divine mysteries, far surpassing the mind's capacity to comprehend and prove them. Neither could they be reduced through a dialectical logic to mere moments of self-realization. On the contrary, from his master, St. Thomas Aquinas, Dr. Wilhelmsen had learned well that faith and reason, while remaining distinct from each other, do not contradict one another, as well as that each becomes most fully itself when in harmony with the other. In working out the implications of this insight, Frederick D. Wilhelmsen made a crucial discovery: that in the concrete order, the Christian faith so enlightens reason that reason can discover purely natural truths about God, man, and the world. The very career of philosophy itself appeared to him to sustain this thesis. Although born in Greece some six centuries before Christ, philosophy would have disappeared with the decline of Athens had it not been for Christianity. The early Church Fathers, especially the Eastern Fathers, and then later the Western medieval Schoolmen, kept alive the heritage of Plato and Aristotle. For the past two millennia philosophy has been a self-sustaining inquiry and enterprise in Christendom alone. Everywhere else in the world it either failed to be implanted, or if implanted it failed to take root, or if it did take root it eventually withered and died. Professor Wilhelmsen was not amazed at philosophy's failure to thrive outside the Christian world. The Christian confession of God's supreme wisdom, the intelligible order of his creation, and the capacity of the human mind to recognize this intelligible order and its Maker, was most fertile soil for the growth of philosophic inquiry. Nor was Dr. Wilhelmsen in the least surprised by the decline of philosophy from being the prince of the arts to its status as an insignificant department in most universities today. The progressive de-Christianization of the West has eroded those very beliefs that are the soil in which philosophy blooms. 'Christian philosophy,' so far from being a contradiction in terms, denominated both a historical fact and a program for further thought." Fr. Lehrberger concludes: "In sum, Frederick D. Wilhelmsen's intellectual diversity was the result of an unfolding from within of an intensely unified understanding of reality: that man becomes fully human only when he is enlightened by the Light of the world. The eclipse of that Light is the impoverishment of the human race not only supernaturally but even naturally. Dr. Wilhelmsen splendidly reflected that Light. May he bask in its rays forever." I regret that I met Prof. Wilhelmsen only once, shortly before he died, but am grateful that we did meet. He thought me naive about even the moderate compatibility of Christianity and modernity. I told him I admired his martial dictum, "Catholicism is swords," if only we could agree that it is also more than that. He allowed as how we might come to agreement if we had time enough to understand one another. I am confident there will be time enough.

■ He was a dear friend and indomitable champion of religious freedom. Dean Kelley died peacefully in his sleep, at age seventy, the night of Sunday, May 11, at his home in New Hampshire. A United Methodist minister, he had for many years headed the religious liberty office of the National Council of Churches. His 1972 book, *Why Conservative Churches Are Growing*, was one of the earliest and remains one of the best analyses of realignments within American Protestantism. *Why Churches Should Not Pay Taxes* (1977) is the standard reference on that subject and has wielded enormous influence for the good. When he died, he was nearing completion of his magnum opus, *The Law of Church and State in America*, and, knowing death was near (he had been stricken by cancer fifteen months earlier), he arranged for the final editing to be done by colleagues. We will be giving that work major attention in these pages. Many readers will remember Dean's landmark article, "Waco: A Massacre and Its Aftermath," in the May 1995 issue of FT, which remains the most accurate and accessible account of the killing of almost eighty Adventists by the U.S. government for no reason other than, after all is said and done, the unpopularity of their religious beliefs. Dean was a gentle man, an indefatigable worker, and an incorrigible friend of the underdog—especially of those who were scorned and abused for their convictions of conscience. The week before he died, he said he was hoping to contribute to our symposium on the current term of the Supreme Court. We will not have that, but we have from him so much else that will last and, I trust, be rewarded in glory. *Requiescat in pace.*

■ Shortly after the settlement in San Francisco, Archbishop William Levada and I happened to be in Rome, on unrelated missions, and we discussed the controversy over a delightful dinner. Despite his having a terrible cold, possibly brought on by having to spend several weeks discussing "inclusive language" in the lectionary. At that time, I invited him to write the article that appears in this issue. It is no secret that the Archbishop has been sharply criticized for "caving" in what some hoped would be a morally clarifying confrontation with the city government. Problematic in this connection is the continued use of the term "spousal benefits" in the agreement with the city even though the person receiving the benefits is in no sense a spouse. Writing in *Crisis*, Michael Uhlmann said: "The saddest part of all is that Archbishop Levada missed

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a golden opportunity to instruct his flock on why the Church believes what it does about homosexuality and why the institution of marriage is undermined when spousal benefits are extended to unmarried persons of either sex. Perhaps not every bishop can be as courageous or as impervious to intimidation as John Paul II. But we'd all be better off if they tried." *Christianity Today* carried similar criticism from evangelical Protestants. Referring to the agreement joined by the San Francisco 49ers and the Bank of America, the president of the Harvey Milk Lesbian/Gay Bisexual Democratic Club said at a press conference, "When we brought this legislation to the board a year ago, we had no idea that the organizations that would lead the way would be the Catholic Church, the premier sports franchise in the United States, and the largest bank in California." So there is no doubt that many think Archbishop Levada capitulated. I do not share that view. The Archbishop is a man of impeccable orthodoxy. He did use this occasion to articulate clearly the Church's teaching regarding sexual morality. Remember, too, that San Francisco is a place unto itself. Not even in New York does the homosexualist ideology wield such political clout. In addition, the Archbishop's very raising of the Church's objections was in sharp contrast to the recent history of episcopal leadership in the archdiocese. The agreement with the city was a matter of prudential judgment, and I have no doubt it was made with integrity. Whether or not it was the best resolution of the conflict remains an open question. One cannot help but be troubled, as Archbishop Levada obviously is troubled, that some perceive it as a capitulation by the Church. It remains to be seen whether that perception can be effectively countered.

■ There is a new book of essays, *Billions and Billions*, by the late Carl Sagan, he who in his *Cosmos* television series informed us that what you see is all there is. According to *Publishers Weekly*, "Sagan compels his readers to look at life." Been there, done that.

■ One may think them quite wrongheaded, but there is an admirable stubbornness about the Berrigan brothers, Father Daniel and Philip. In thirty-five years of peace protests, Philip, a former priest, figures he's spent seven and a half years in jail. He is in jail again in Portland, Maine, where, on Ash Wednesday, he and several confederates vandalized and splashed their blood (squirted from plastic baby bottles) on a navy destroyer at the Bath Iron Works shipyard, causing $80,000 worth of damage to the unfinished ship. The intent, said Phil, was to "hammer the instrument of death into a peaceful plowshare." At the trial, Fr. Dan was prevented from citing canon law in their support, and after the conviction, the U.S. attorney said, "The issue of throwing blood around is irresponsible in 1997. It poses a health risk that it may not have back in the 1960s when this was a popular thing to do." Presumably she had reference to AIDS. In any event, this is a most cruel cut, to turn an act of prophetic witness into a question of medical hygiene.

■ "The legislature shall have the power to reserve marriage to opposite-sex couples." These twelve words of a proposed amendment to Hawaii's constitution are a great victory for marriage and democracy, in Hawaii and the rest of the nation. The amendment will be up for a vote in November 1998, and the prospects for success are encouraging. This is the result of a remarkable coalition effort by Catholics, evangelical Protestants, Mormons, and others who turned back what looked a year ago like an unstoppable juggernaut of gay-lesbian agitation backed by judicial activists in the state courts. A statement by the Hawaii Catholic Conference says, "With the Hawaii Supreme Court staring over our shoulders, our room to maneuver has been limited. The legislature concluded that a 'reciprocal beneficiaries' bill was necessary in order to get support for a constitutional amendment. Although we opposed the bill, it was the price that had to be paid to pass the amendment." The statement notes that over twenty other states, prompted by the Hawaii threat, have passed laws limiting marriage to male-female couples, and it urges the remaining states to do likewise. "This will prepare them to face likely challenges in the future." We are pleased that David Coolidge, who has been directing a project for our institute, has been able to give a large part of his time to helping Father Marc Alexander of the Hawaii Catholic Conference in repelling the madness of same-sex marriage. At least in Hawaii, and at least for the time being. But then, "for the time being" applies to everything in the realm of politics.

■ During the Cold War, "national security" was the magic phrase that commanded unlimited billions in government funding. Now it is "the child" that successfully bids for whatever billions are there for the taking. C.H.I.L.D. stands for the Child Health Insurance and Lower Deficit Act being promoted by Senators Orrin Hatch and Ted Kennedy. It looks for all the world like an effort to reinstate, at least in part, Mrs. Clinton's ill-fated "health-care reform" of several years ago. But *Insight*, the usually insightful newsletter of the National Association of Evangelicals, likes it because it is to be largely funded by sharply raising taxes on cigarettes. Not hesitant to sound self-serving, *Insight* says "it is an increase that would save many lives by discouraging young lungs from smoking cigarettes, and it is a tax you don't have to pay." We're all for persuading young lungs to better behavior, but where do you suppose the C.H.I.L.D. money will come from when people are successfully discouraged from smoking?

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As with anti-tobacco trial lawyers getting a kickback from the profits of tobacco companies, the proposed scheme for financing this huge expansion of government health care would seem to give more and more people a stake in the tobacco business. "Spend it, don't end it," as the President might say.

■ There were and are many reasons for supporting the State of Israel. During the Cold War, it was argued that Israel was a "strategic asset" in the battle against totalitarianism. That was then, this is now. It is argued that Israel is a democracy in a part of the world where democracy is almost unknown, and the U.S. has an interest in promoting democracy. That is still true. Or that Israel is partial compensation for the horror of the Holocaust. That is a more problematic argument, raising difficult questions about who owes whom for what and at whose expense. The practical force of the argument is increasingly weakened by the fact that what happened fifty years ago is, alas, ancient history to most people living today. In recent months, the perception of Israel has been damaged by much-discussed reports on the systematic torture of Palestinian prisoners. The Israeli courts permit the use of "moderate physical pressure," and some Israelis say it is to the credit of Israel that it tries to bring torture within the limits of law. But torture is torture, and reports suggest that it is widespread, vicious, and almost routinely applied in interrogations. Yes, Israel is surrounded by enemies, and, yes, many other countries torture prisoners, but if these reasons are allowed we might as well take torture off the list of things that civilized nations do not do. Does raising questions about Israeli actions distract attention from atrocities perpetrated against Israel by the Palestinian Authority and others? In some minds, that is no doubt the case. But to decide whose side you are on and then question only the actions of the other side is a formula for the sure termination of reasonable moral judgment. Plus there is the inescapable, if sometimes uncomfortable, fact that more is expected of Israel. After all, the raison d'être of the U.S.-Israel connection is that Israel is on our side. That cannot be said of the Palestinian Authority or most of the other nations of the Middle East. It is said of Saudi Arabia, which is another reason for Americans to protest the brutal denial of religious freedom in that country. Which, regrettably, brings us back to developments in Israel. Yet another embarrassment for Israel is that, as of this writing, the Knesset is being asked to approve a law prohibiting any literature or advertising containing "an inducement to religious conversion." Violations are punishable by one year in prison. The bill, amending the existing anti-bribery law, would specifically prohibit the possession, production, reproduction, importation, or distribution of information that might persuade Jews to convert. Christians, Muslims, and secular liberals join in protesting this violation of elementary democratic freedoms. Those closer to Israeli politics say the proposed law stands little chance of passage, and we must hope that is the case. The current government of Israel has on a number of occasions declared its intention to go its own way, without regard to what the Jewish diaspora or anyone else might think. That is an understandable desire for a sovereign state. But going your own way may come with the price of being left on your own. The long-term implications of that for U.S.-Israel relations are deserving of very careful, and prayerful, deliberation.

■ In a generally intelligent piece on "the ennui of outrage," William Grimes of the *New York Times* notes that it is getting increasingly difficult to frighten the horses, also known as shocking the bourgeoisie. His leading instance is Dennis Rodman, who I gather is a Midwestern basketball player who has made a pile by publicizing his sundry sexual and other outlandishnesses, most recently in a book, *Walk on the Wild Side*. Mr. Grimes thinks Rodman is becoming something of a bore. "As a public-relations move, does outrage have a future? The ever-acute Madonna may have her finger on the pulse. After several dozen image transformations, she has opted for motherhood. Behold, Madonna and Child, the most traditional image available to the human imagination. The way forward for Mr. Rodman is clear: marriage, children, and a dental practice in Levittown. Take a walk on the wild side." If Grimes is right, it may be good news. Senator Pat Moynihan gave us the fine phrase "defining deviancy down," to which it might be added that even the most debased public can reach the point of being sated. Just as my dog Sammy II stole the big roast carelessly left on the edge of the kitchen counter and left half of it uneaten, going out in the back yard to upchuck. I was struck, however, by Mr. Grimes' other illustrations in demonstrating that ours was but no longer is a "golden age" for public scandal. "The golden age had its forerunners, of course. An honors list of calculated outrage would have to include Diogenes, the Greek philosopher who dramatized the virtues of the simple life by living in a tub. It was truly a master stroke when Martin Luther nailed his ninety-five theses to Wittenberg's cathedral door. Even in the dissipated atmosphere of eighteenth-century France, the Marquis de Sade managed to make a vivid enough impression to land him in the Bastille." Dennis Rodman, the Marquis de Sade, and Martin Luther. One fears that all those shocks have left William Grimes not so much sated as quite incapable of making distinctions.

■ How do you manage to live with people criticizing you all the time? a friendly inquirer wants to know. First, the affirmations received are

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many times more than the criticisms. That helps. Second, I tend to forget criticisms. So much so that I frequently find myself praising a book or argument and colleagues have to remind me that the author is a declared enemy. This is no virtue on my part. Simply a bad memory. But people who deal in ideas do have a desire, and perhaps an obligation, to keep the record straight. A problem is that exchanges take place between different audiences, and people in one audience do not know what is being said to others. For instance, a writer in *Commonweal* attacks my judgment of Daniel Goldhagen's *Hitler's Willing Executioners*, (FT, August/September 1996). He thought my criticism excessive ("apoplectic" was his term) and I responded in *Commonweal* that there was no substantive difference between his judgment and mine, to which he responded with the quibble that I had attributed to him one phrase which he intended as describing the judgment of other critics. This kind of back and forth can go on forever. More seriously, he says I am "blaming the victim" in what I wrote about Jewish influence in the Weimar Republic and how Hitler exploited the reaction to that influence. Neuhaus, he says, has "appropriated the works of outstanding historians such as Paul Johnson and Walter Laqueur to support his offensive argument." In fact, I quoted Paul Johnson making exactly the point I was making, which is not blaming the victim but putting the rise of Nazism into historical context, which Goldhagen egregiously fails to do. I note this simply for the record. Not that it will be seen by most of the readers of *Commonweal*, but I think of myself as writing in the presence of the angels, in the expectation that at least some of them are assigned the duty of reading absolutely everything. How that can be squared with the idea that the angels dwell in perfect felicity I leave for others to work out.

■ Since not all our readers also read the *Wall Street Journal*, herewith the conclusion of a particularly lucid editorial on doctor-assisted suicide: "To the extent that there is an answer here it lies in reaffirming to the sick and healthy alike the value of every moment we are on earth. To oppose state-sanctioned suicide is not necessarily to deny anyone's right to die. People can and do make that private decision every day. But do not ask the rest of us to say that it is a good thing, to use the abstractions of law to announce that some lives are simply not worth living. In this instance the rights of the living must prevail. All that we hold dearest as human beings is based on the sanctity of life as the ultimate value. Our horror at Hitler's gas chambers, Stalin's purges, Mao's famines, and Pol Pot's killing fields stems not only from the enormity of the suffering involved. The truth is that when you extinguish life on that scale, a light goes out in all human souls. One could argue that the difference between those cases and assisted suicide is that the latter is entirely voluntary. However, once the right to die ascends to the same pedestal as the right to live, the pace of sanctioned killings, we suspect, will be no less horrifying."

■ This Weigel fellow is really far out. Father John T. Pawlikowski reviews George Weigel's book *Soul of the World* (Eerdmans) in *Catholic Library World*. Pawlikowski writes: "His continued claims about *Centesimus Annus*' embrace of Catholicism, as promoted by Richard John Neuhaus, simply ignore Pope John Paul's own rejection of this simplistic thesis." The Pope rejects the Catholicism that I promote? *Centesimus Annus* does not embrace Catholicism? Fr. Pawlikowski was having a bad day?

■ Writing in the *American Scholar*, Brian Doyle offers a deeply affecting remembrance of what it was to be an altar boy in days long past, and then this reflection on the continuing reverberations of those early mornings in the half-darkened church serving Father Whelan's mass: "I have come, in my middle years, to a passionate belief in a Coherence—a pervasive divineness that I only dimly comprehend and cannot at all articulate. It is a feeling, a sense. I feel it most near my elfin daughter, my newborn sons. Last night I stood over the huddled body of my daughter, asleep in her bed, her hair flowing around her like dark water. She had fallen asleep only minutes before, sobbing herself to sleep after soiling herself and her bedding and her bear. She is very sick and cannot control her bowels, and she is humiliated and frightened by this; she fell asleep in my wife's arms, her sobs muffled in the folds of my wife's deep soft flannel shirt. I stand above her now in the dark. She is curled like a question in the corner of her bed. My body curls itself into an ancient gesture of prayer and humility, and I place my hands together and begin to weep—for love of this child, in fear of illness, in despair at my helplessness. I make a prayer in the dark. I believe so strongly, so viscerally, in a wisdom and vast joy under the tangled weave of the world, under the tattered blanket of our evil and tragedy and illness and brokenness and sadness and loss, that I cannot speak it, cannot articulate it, but can only hold on to ritual and religion like a drowning man to a sturdy ship."

■ As though we did not have enough to worry about. Pastor Russell Saltzman, editor of the Lutheran *Forum Letter*, takes us to task for contributing to environmental degradation, reducing our subscribers' quality of life, and endangering the world in general. He continues: "I took my two most recent copies of FIRST THINGS to the local postmaster and had him weigh them on the USPS scale. Together, they weigh a pound. On average, then, a year of FIRST THINGS means I must find room for 5.5 pounds of journals. Given 30,000 or so subscribers, that means your readers must find

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storage space for 165,000 pounds of First Things, or 82.5 short tons every year. You of course know we must do this because none of us, as my wife can testify, can bear to toss past issues away. Keeping some six and a half years of First Things on hand requires that readers find space for 536.25 short tons. The problem becomes even more acute for those of us who have had articles appear in First Things or who have been quoted therein—we grab up all the extra copies we can, so our storage requirements comparatively are more severe. Now, I've checked over some engineering stress loads with a friend, and he tells me we shall soon reach a point of no return if you continue publishing. The increasing weight requirements for storing First Things, combined with the limited weight-carrying capacities of most homes, means that soon attics and basements all over America will collapse to the earth's center. Were these projected implosions to occur randomly, there would be no danger, the planet being able to absorb isolated jarrings. However, I fear the likely course is they shall happen all at once, thereby setting off a catastrophic reaction that—if my figures are right—will set the earth on a collision course with Venus late February 2011." The editors were at first alarmed by Pastor Saltzman's chastisement, until we did our own weighing of the two most recent issues and discovered they came to only 15.3 oz. That gives us until the year 2023. So please do not panic. It is safe to renew your subscription.

■ The very day Randy Tate was appointed the new head of the Christian Coalition, Americans United for the Separation of Church and State was out of the gate with a press release. Executive Director Barry Lynn, a noted advocate of civility in public discourse, declared, "Randy Tate is a Ralph Reed clone." Under his leadership, said Lynn, "We can expect more of the same from the Christian Coalition. More extremism, more gutter politics, and more partisanship from a tax-exempt supposedly nonpartisan group." It is not as though Mr. Tate was not granted a honeymoon period. As best I can calculate, there was a one hour wait between the announcement of his appointment and Mr. Lynn's assault. Of course you have to deduct from that whatever time it took to write the press release, if there were not several releases prepared in advance in anticipation of whomever might be appointed. Mr. Lynn obviously subscribes to the maxim that extremism in the battle against extremism is no vice. Not for nothing is he known as the fastest gun in the gutter.

■ At age ninety or thereabouts, my friend Erik von Kuehnelt-Leddihn is about to launch another American lecture tour. He is a brilliantly crotchety polymath who engages audiences of all ages on subjects as various as European history, modern art, and why, from a Catholic viewpoint, Luther was mostly right and crucially wrong. For bookings, write him at A-6072, Lans, Tyrol, Austria.

■ Remember that little list of potential subscribers? Or big list, if you prefer.

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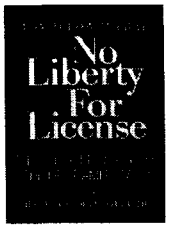
Books for the Culture Wars

No Liberty for License: The Forgotten Logic of the First Amendment **by David Lowenthal** with a foreword by Harvey C. Mansfield



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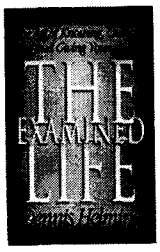
Was the First Amendment intended to protect virtually any type of expression and to erect a wall between religion and public life? For seventy years the legally orthodox answer has been "of course," and the Amendment has accordingly become a license for political and social movements that threaten, in the name of liberty, to unravel our social fabric. In an iconoclastic and compelling reassessment of the First Amendment, Professor Lowenthal argues that the Framers intended it as a bulwark of republican self-government and that its purpose should determine its interpretation. Examining the modern Supreme Court's treatment of subversive organizations, obscenity, and religious establishment, Lowenthal demonstrates that the regnant First Amendment jurisprudence is both indefensible and dangerous. (Available in September 1997)

The Examined Life:
The Art of Knowing, Owning, and Giving Yourself
by Dennis Helming



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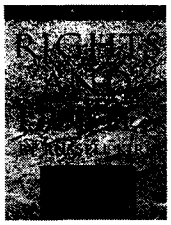
"The mass of men lead lives of quiet desperation," said Thoreau. Helming points out that the American psyche of today is surely not in better shape. The only novelty may be that ours is, if anything, a less quiet hopelessness. Beginning with the most fundamental aspects of the "pursuit of happiness" and eschewing both the rarefied and insubstantial in contemporary talk about virtue and moral self-improvement, Helming shows how a patient and sincere consideration of our failures and defects, as well as our good inclinations, may set us firmly on the road to a better life. We require only a willingness to seek the truth and abide by what we discover. (Available in September 1997)

Rights and Duties:
Reflections on Our Conservative Constitution
by Russell Kirk with an introduction by Russell Hittinger



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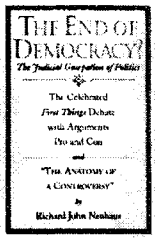
Was the American founding a product of Enlightenment radicalism or the Common Law tradition? In this thoroughly revised and greatly expanded edition of his provocative *Conservative Constitution*, Kirk explores the conservative character and the sources of the Constitution; the political philosophy, economic assumptions, and temperament of the Founders; and the historical twists and turns of constitutional interpretation. Among the new chapters are Kirk's reflections on the role of natural law in constitutional interpretation, a subject that divides and perplexes his fellow conservatives. In a new introduction, Russell Hittinger distinguishes Kirk's notion of an underlying "unwritten constitution" from the infinitely malleable "living Constitution" espoused by liberal jurists. (Available in August 1997)

The End of Democracy? The Judicial Usurpation of Politics:
The Celebrated *FIRST THINGS* Debate with Arguments Pro and Con, and "The Anatomy of a Controversy" **by Richard John Neuhaus**


The End of Democracy?
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The Celebrated First Things Debate with Arguments Pro and Con
and
"The Anatomy of a Controversy"
by
Richard John Neuhaus

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Collected here is the original 1996 symposium on "The End of Democracy? The Judicial Usurpation of Politics," in which Robert Bork, Russell Hittinger, Hadley Arkes, Charles Colson, Robert George, and the editors of *FIRST THINGS* confront five decades of judicial decrees arrogating to the courts the final say on abortion, euthanasia, homosexuality, obscenity, and other fundamental questions of how we order our lives together. Responses from 20 eminent commentators follow ranging from condemnation of the symposium's reckless flirtation with rebellion to praise for its forthright engagement of distressing but urgent questions. An extended review of the contours and implications of the controversy by Richard John Neuhaus rounds out the volume. *The End of Democracy?* places in the reader's hands everything he needs to digest the salient constitutional debate of the decade.

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The book the Clinton White House doesn't want you to read!

#1 BESTSELLER! — *New York Times*, *Wall Street Journal*, *Publishers Weekly*

Never before has a presidential Administration gone to such extremes to suppress a book — and to silence its author.

According to Fred Barnes in *The Weekly Standard*, when *Unlimited Access* hit bookstores, the Administration dispatched no fewer than seven top aides to pressure ABC News to cancel an interview with the book's author, former FBI agent Gary Aldrich.

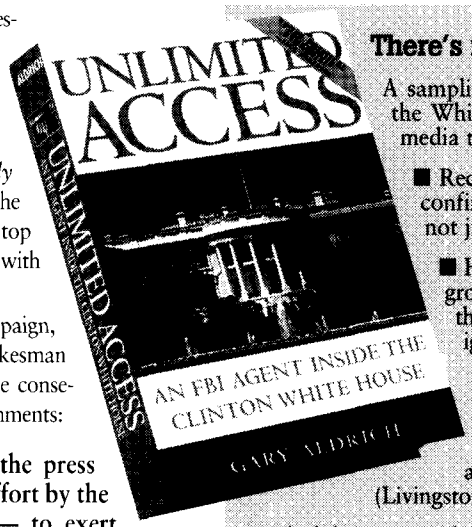
One of those involved in the pressure campaign, reveals Barnes, was chief White House press spokesman Mike McCurry, who "made clear there would be consequences if ABC didn't go along." Fred Barnes comments:

> **Though you'd hardly know it from the press coverage, this was an unprecedented effort by the White House — any White House — to exert pressure on a news organization to keep a critic of the president off television. Not since the Nixon Administration tried unsuccessfully to block publication of the Pentagon Papers twenty-five years ago has a White House leaned so aggressively on the media to alter a news decision. And the remarkable thing is the heavy-handed pressure may have paid off.**

It did indeed. As *The Washington Post* reported on July 1, the "campaign" to silence Agent Aldrich "seemed to be bearing fruit yesterday. Both CNN's 'Larry King Live' and NBC's 'Dateline' canceled plans to interview Aldrich . . . ." And afterwards, writes Barnes,

> **Aldrich became *persona non grata* in the mainstream media. What happened to the Aldrich menace? "We killed it," boasts Stephanopoulos.**

Yet despite the White House's attempt to ban the very mention of this book from the airwaves, the American public has made *Unlimited Access* a runaway nationwide bestseller.



There's more to this story — much more

A sampling of Agent Aldrich's *other* charges that the White House has declined to answer, or the media to report:

- Recent drug use by White House aides: not confined to minor drugs like marijuana. And not just by *junior* staffers
- How Clinton lawyers made thorough background checks all but impossible, and ensured that even the most damning findings were ignored
- Our nation's top secrets: handled by staffers without security clearances
- What Craig Livingstone told Aldrich about Vince Foster's motive for suicide (Livingstone has not denied Aldrich's account)
- Theft by personnel a "major problem" in the White House
- New White House phone system so that Bill Clinton and his aides could make private calls without going through the switchboard. Cost to taxpayers: $27 million
- Unreported mêlée at a White House Fourth of July party
- How the Clintons "fixed" employee hours to deny low-level staffers health insurance — even as Hillary ran her nationalized health-care task force

Whom do you trust?

Those who implicitly trust Bill and Hillary Clinton and their aides may wish to take their word that *Unlimited Access* should be suppressed and that Gary Aldrich be silenced.

But those who prefer to trust an FBI agent selected during the Bush years to run one of our nation's most sensitive security operations — at a time when a spotless record like his was *still* a condition of employment in the White House — should judge *Unlimited Access* for themselves.

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